2: Mitchell E-5 (1946-1949) 1956 FT? Tao FT?

H2.
291
701
751
603

PLATE I

CHIEF LOBENGULA THE ZULU

He wears the traditional necklace of lions' claws which are medicated to protect him from the bullets of his enemies.

[facing p. iii]

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

chief that he must deal. If we give a present to a village it is to the village chief that we must give it'; and, 'It is when a man transgresses against his own village chief that *personal responsibility* is brought home to him. When he transgresses against another village, his own chief pays for him.'[1] The village headman accepted liability for offences committed by his villagers against members of other villages, but could punish his own villagers by fines and by putting them into slave-sticks. Within the village, according to MacDonald,

> The headman cannot make his villagers hoe his farm for him, or do such private work. Neither does he exact tribute from them. . . . Still he expects them not only to stand by him in war, but to support his government on all occasions, and to render special assistance in the trial of judicial cases. . . . He may pronounce a capital sentence, or order as large a penalty as the fine of four slaves—especially if he be a higher headman. But his judgements may be complained of by any of his free subjects (only such appeals are rare, unless by parties that want to leave his village altogether). His decision may be revised by some other headman, as the ruler of the village from which his own settlement broke off; but the ultimate appeal is to the chief of the country. While the village headman settles all smaller disputes without troubling the chief, he usually reports graver cases.[2]

The Chief and the Village Headmen: the Political Process

The village headmen in any particular area recognized the supremacy of one of their number, the chief of the land (*anyene elambe*). MacDonald classifies the headmen under one chief as follows:

i. Chief's blood relatives, usually called 'younger brother'.
ii. Settlers or refugees (*alambi*) who have come over with a large following from a hostile chief.
iii. Men who have gained the chief's favour by their services and been sent to occupy new spots in the kingdom.

'Other village headmen arise when a large village increases and sends forth smaller hamlets.'[3] All in the territory of a chief were integrated by a chain of authority. As he explains,

> i. Headmen are under higher headmen and under the chief.

[1] MacDonald, *Africana*, i. 186. Original italics.
[2] MacDonald, *Africana*, i. 153. [3] MacDonald, *Africana*, i. 156.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

2. Free men are under their elder brother in the first instance, but they may carry their cases to the headman of their village or even to the chief of the country.
3. Slaves were entirely under their own master.[1]

The headmen's subservience to the chief is described in the following passage:

> In all public transactions the headman represents his village. He receives the chief's orders and sees them carried out. When he kills an elephant he sends one of the tusks to the chief. Should he kill twenty elephants he is not expected to give up twenty tusks—two or three would be sufficient. If he shoots a large buck he gives one haunch of venison. For all such tributes he expects to receive in return a present (generally a little powder). . . . He is expected to attend the chief's parliament unless he is under an elder brother in which case he is not allowed to speak, except when especially commissioned. Headmen are expected to report all cases of war, but they often attack enemies without telling their chief beforehand, saying, 'Let him hear of the enterprise when it succeeds.' Yet this is dangerous unless they are sure of success, and well acquainted with the chief's private sentiments. On reporting an attack they present the chief with part of the booty. In times of war each headman when summoned, must follow his chief's flag, otherwise his village is burned down, and all that fail to escape are killed or enslaved.[2]

Yet within the framework of this organization villages were markedly autonomous. MacDonald's description, which I have just quoted, brings this out very well. Elsewhere he writes: 'The chief may often have less influence than powerful headmen, and we have known cases where he simply contented himself with grumbling when his headmen acted contrary to his desire.'[3] The chief did not differ greatly from his more powerful headmen. A certain amount of ritual in terms of ancestor worship embellished his position, and he had some ascendancy over village headmen to whom he had given land. Yet, in the last analysis, the chief had to rely on his personal following and military power to subjugate headmen who were becoming too powerful. The chief was therefore in direct competition with his subject village headmen, and involved in a constant struggle with them for followers. MacDonald describes how the chief himself was a

[1] MacDonald, *Africana*, i, 155.
[2] MacDonald, *Africana*, i, 157.
[3] MacDonald, *Africana*, i, 155.

2: Mitchell E-5 (1946-1949) 1956 FTT Tao FTT

175 578 622 643

village headman and had to administer his slaves and relatives in his village in the same way as a village headman.[1] MacDonald shrewdly observes:

> Where the chief sees occasion to interfere with his subordinates he generally considers his own interest. He will say to a headman, 'I see that you have been behaving badly to that subject of yours. You cannot get on with him: he must leave you and come and dwell in my own village.' The chief thus secures another servant.[2]

175 622 643 556 567

Another writer observed, 'As a chief's power consists of the number of his subjects the loss of a man is a serious matter.'[3]

A village headman also tried to strengthen his position against the chief and against other village headmen by attracting to himself as many followers and dependants as he could. The process whereby a man might increase his status is described as follows:

> However large the settlement may become, the man that is first in the field is the chief or headman. In course of time he adorns his position by acquiring wealth. He may shoot some buck and get possession of their skins. With these he goes to the Mangoni country and buys slaves. An old person he obtains for a single skin, but a young slave costs two, and women cost much more than men. The female slaves thus bought are his junior wives and he keeps them busy in hoeing the farm, and all such female duties. The male slaves he employs in farming, building, making baskets, sewing garments and such masculine pursuits. He keeps all these persons strictly at their duties, and at the same time welcomes an opportunity of selling them at a profit. If his daughters were unmarried, he would give them slave-husbands. The natives aim at 'replenishing the earth and subduing it'. As it is no expense for them to rear families, they are all desirous to have many children.

175 622 641 643

Besides this increase of the village from the chief's own resources, there may be an accession of freemen. After the settlement is begun, a man may come to its founder and say, 'I wish to live with you.' The village chief gives him permission and calls him 'younger brother'. The newcomer brings his family, builds a house, and cultivates a farm in the same way as his chief. A freeman may leave his present chief and take up his abode with another, whose subject he becomes. His former chief has no longer any authority over him

---

[1] MacDonald, *Africana*, i. 154.

[2] MacDonald, *Africana*, i. 155–6.

[3] Hynde, R. S., 'Among the Machinga People', *The Scottish Geographical Magazine*, viii (1891), 656–63.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

whatsoever. But a man often decamps by night taking with him many slaves belonging to his fellow-citizens; he then goes to some influential chief who may be only too glad to give the fugitive ground and to establish him as a sub-chief. Freemen who thus leave are deemed by their former chief, who welcomes every opportunity of diverting or capturing them.[1]

In this way village headmen, by increasing their following, increased their power against the chief. MacDonald records:

> When a person has acquired several villages, he becomes a higher headman, intermediate between the chief and the owner of a single village. Each headman lives in the village he likes best, and leaves his 'brothers' to manage his other villages. But a headman of great ambition often places his 'brothers' all around him, decides their cases, and practically governs a small kingdom of his own. If he lives far from his chief, one might suppose that he was quite independent. When a quarrel arises between the chief of the country and an important headman, the latter may rebel, and found a new kingdom, thus depriving the old chief perhaps of one-third of the villages in his dominion.[2]

MacDonald cites the case of Mkanda of Chirulundu, who was at first a headman of KuMpama's but rebelled, and went to live on the southern side of the mountain.[3] He also observes that on the other hand, 'a headman may keep up his chief's authority in a district that the latter could not otherwise hold'.[4] Elsewhere he says:

> In and around his own village the chief of the country is a terrible power, and his government is supported by the most prompt and severe punishments. But in distant parts of his dominions, where influential headmen live, he may be little known, although as a matter of theory he is supposed to settle all graver disputes even in remote villages.[5]

The history of the Yao chieftaincies in MacDonald's time, and as told to me by my informants, is that of constant division into independent chiefdoms. In the Zulu and Bemba polities a strong state structure included a pattern of civil war and the main-

[1] MacDonald, *Africana*, i. 147-8.
[2] MacDonald, *Africana*, i. 32.
[3] MacDonald, *Africana*, i. 157.
[4] MacDonald, *Africana*, i. 156-7.
[5] MacDonald, *Africana*, i. 154-5.

2: Mitchell E-5 (1945-1949) 1956 FTT Yao FTT

essence of the whole state under a new king,[1] but the Yao political units seem to have split into two factions when divisions appeared within them. The dissident faction left the parent chiefdom and established itself somewhere else as an independent entity.

The picture my informants have given me substantiates MacDonald's account, though his contact was mainly with Mangoche and not with Machinga Yao. My informants, however, placed greater emphasis than he did upon the importance of trade with the coast. A slave-trading trip was not a venture which the ordinary village headman could undertake with equanimity. The journey to the coast, to Quilimane or to Kilwa, was long and arduous, and strong military protection against bandits was needed. A caravan could only be sent by a *chief* or someone of like status, so that the coastal trade became the monopoly of the chiefs. Headmen who had ivory and slaves to send to the coast included them in the chief's caravan. When it returned, the headmen were able to collect calico and beads to the value of their contribution. Gun-powder also seems to have been a chief's monopoly. Thus, in fact, he did have some physical control over the military activities of his subject village headmen, since he could withhold supplies of gun-powder if he wished. But in a society where minor chiefdoms were intrinsically poised against each other, the maxim 'a chief without people is nothing' had much more significance than it has to-day: a village headman's ultimate sanction was that he could withdraw his support from one chief and give it to another.

The Effects of Warfare Conquest

It was into a society thus organized that the first Missionaries came. I have already described how the Missionaries, by taking in runaway slaves, and by occasional armed combat, entered into political relationships with the chiefs. With the establishment of the Protectorate, the policy, clearly expressed in Sir Harry Johnston's letter,[2] was to stamp out slavery. This was done in numerous campaigns against the Yao chiefs[3] so that by

[1] See Gluckman, M., 'Succession and Civil War among the Bemba: An Exercise in Anthropological Theory', *Human Problems*, xvi (1954), 6-25.
[2] See fn., p. 29.
[3] See Chap. II, pp. 29-30.

2: Mitchell E-5 (1946-1949) 1956 F'T? Yao F'T?

that the superior British militia had completely subjugated all the Yao chiefs who had resisted them.

British power initially became merely an element in the political relationships of chiefs: they used it against their rivals, as Kalombo used it against Cingwalungwalu,[1] or Mukanda against Kawinga. Yao chiefs did not unite in the face of their common enemy.[2] As the campaign against the slave-traders progressed, however, Yao chief after chief fell to superior British arms. They, who only a few years earlier were accepting the submission of refugees, themselves had now to 'grasp the leg of the White people'.

It is clear that they looked upon their submission to the Whites in much the same way as they looked upon the submission of refugees to themselves. To submit to a man was to accept slave or near-slave status. According to informants, Kawinga sent a large tusk of ivory[3] to the British as a pleasantry gift. His ceremonial knife, and the knives of his important headmen, were taken from them by Robert Codrington, Assistant Collector of the northern part of Zomba.[4] A chief with whom I was once discussing slavery expressed neatly the attitude of the Yao chiefs to their subjugation. He said: 'There is no slavery to-day—we are the slaves of the Government'. The chiefs who returned to the Protectorate, therefore, returned as subjects, and were fully aware of this. In the new regime, the former chiefs had to recognize a superior authority and the British Administration provided the framework within which the old rivalries had to be rephrased.

The chief's position in relation to his subjects as a result of this catastrophic change was, of necessity, weakened. When the slave caravans stopped, the chief's source of wealth disappeared, and with it much of his power. He was no longer much wealthier than his subjects. The wants of the people could now be more easily satisfied by the numerous trading stores which

[1] Mitchell, J. C., 'The Political Organization of the Yao of Southern Nyasaland', *African Studies*, VIII, 3 (Sept. 1949), 141–59.

[2] Johnston maintains that Mataka's, Jalasi and Kawinga had planned a joint attack against the British in 1895. If this is so, the attempt was completely unsuccessful. See Johnston, H. H., *British Central Africa*, Methuen & Co. (London, 1897), 130. See p. 30.

[3] *The British Central African Gazette*, II, 18 (Nov. 15th, 1895), reports that Kawinga sent in some ivory as 'indemnity' but was told to pay more and to send in 60 more guns.

[4] They are to-day in the Southern Rhodesia National Museum, Bulawayo.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

began to appear in the Territory. The chief in this situation had the same wants as his subjects but was in no way able to satisfy them. He was precluded by his position from becoming a labourer and thus securing a cash income, while his subjects, until recently dependent on his monopoly for their wealth, had been drawn into the new economy of the Protectorate and were comparatively affluent.

The cessation of warfare and slavery thus affected the prestige of the chiefs seriously. The Administration's policy was at first to impose a fine of guns on those who broke rules. In July 1892, for example, Chapola village on the south-west corner of Lake Malombe was fined 30 guns for being in possession of slaves.[1] Later the Administration introduced an ordinance requiring the registration and licensing of guns, and many guns were confiscated on account of breaches of this regulation. Not only were the Yao disarmed, but the Administration also punished those who broke the peace. At the same time the Government was pursuing an active policy against domestic slavery. For example, in the village of Chapola mentioned above, 26 slaves were released. The slaves, formerly bound to their masters by the physical sanction of being liable to death at his hands in cases of desertion, were now liberated. It is not surprising to find the Collector at Mlanje reporting, in 1895, that the power of Kuntimanje and Matipwiri was failing, and that they were losing people.[2]

Statements of informants confirm that slaves were then starting to leave their erstwhile masters to set up villages of their own. In 1904, the Administration reported: 'The tendency is for the old large communities to be broken up; for the small man to collect a surrounding of friends and go off and build new hamlets in other localities'.[3]

From my own investigations, there appear to have been two possible reasons for this. First, communities may formerly have lived in consolidated groups in order to protect themselves from slave-raiders and other assailants. With the disappearance of the slaver and of war, the bond of the need for security would,

[1] *B.C.A. Gazette*, i, 110 (July 28th, 1894).
[2] *B.C.A. Gazette*, ii, 18 (June 15th, 1895).
[3] *The Annual Report of the Territory, 1903–4*, quoted by S. S. Murray (ed.), *Handbook of Nyasaland*, Crown Agents for the Colonies (London, 1932), 188.

2: Mitchell E-5 (1945-1949) 1956 FT7 Yao FT7

that in some cases the previous records or age of such persons would be found to be such as to preclude their selection to transact the responsible duties of Headmen under the Ordinance, and in such circumstances Residents were to consider the claims of other natives of good standing, intelligence and reputation residing in the section, who, having assisted the Resident in native administrative matters in the past, might be expected to carry out the duties efficiently, and who, at the same time, were known to enjoy the confidence of the natives with whose supervision they were entrusted.'

Elsewhere Murray writes, 'The system introduced by the Ordinance was in no way intended to *revivify* or perpetuate government by native chiefs. The position of Principal Headmen under the Ordinance was in no sense to be similar to the archaic one of the chief.'[1] Yet in the area in which I worked it was precisely the traditional chiefs who were made Principal Headmen—Jalasi, Nyumbi, Kawinga, Liwonde and Malemia. In retrospect it is difficult to see how it could have been otherwise. Considering the sentiment attached to the chief in Yao society, it seems scarcely possible to conceive of leaders who 'enjoyed the confidence of the natives with whose supervision they were entrusted' who were not chiefs in the traditional sense.

In spite of its avowed intentions not to 'revivify or perpetuate government by native chiefs', the Administration proceeded to invest the traditional chiefs with its own power. 'Residents', Murray writes, 'were to indicate carefully by their attitude towards and dealings with Principal Headmen the fact that they were officially recognized as chiefs of their respective sections and that, as such, they were entitled to the respect and obedience of their people.'[2]

It would be wrong to imagine that the military actions at the end of the last century had completely destroyed chiefdomship. Those who had resisted the Whites were driven out of British Territory but were allowed to return very soon afterwards. These chiefs then took up the threads of their life as best they could under the changed conditions. The degree to which the new Administration had become a force in Yao politics is illustrated by an entry in the District Book in Zomba. Kawinga III had died in August 1905, and the record reads: 'There were two

[1] Murray, *Handbook*, 131.
[2] Murray, *Handbook*, 130.

[2] Murray, *Handbook*, 130.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

claimants to the succession, Kumlomba and Chiwalo. Their claims were really very equal and His Majesty's Commissioner (April 1906) called in Kumlomba and the most important headmen and decided the succession by their vote.' District Books have many entries dating before 1911 showing that the Administration did not consider chiefs and village headmen insignificant.

The appointment of village headmen needed the approval of the Provincial Commissioner, but presumably the recommendation came from the District Resident. It is reasonable to suppose that the District Resident in turn had discussed appointments with the principal headmen. Whatever the mechanics of the appointment, however, the outcome was that most village headmen who held positions of prestige in the indigenous system of ranking became village headmen under the Ordinance.

The District Administration (Natives) Ordinance thus made official the unofficial relationship which had previously existed between the Administration and the chiefs and the village headmen. The traditional relationship of chief to village headman and village headman to villager, however, became suffused with a new significance. These relationships had become part and parcel of the extensive administrative organization of the British Empire.

The Modern Administrative Structure[1]

The Native Authority Ordinance of 1933 and the Native Court's Ordinance provide the legislative framework for the modern administrative system. Under Section 23(*e*) of the Native Authority Ordinance, the rules, orders, proclamations, notices and appointments made under the District Administration (Natives) Ordinance were not repealed. The duties which had so long been incumbent upon chiefs and village headmen, therefore, continued unaffected.

The chief, however, was set up at the centre of a bureaucracy and given autonomy in a number of directions. The Native Court's Ordinance gave him legal powers to inflict punishment on his subjects; the treasury under his authority could raise

[1] I have dealt in some detail with the position of the chief in the modern situation in my article 'Political Organization of the Yao of Southern Nyasaland'.

2: Mitchell E-5 (1946-1949) 1956 F'T7 Yao F'T7

funds and could spend them. The chief could make rules and regulations in specific matters. 691 692 693

Burnt-brick court houses, burnt-brick offices and clinics have appeared at the traditional headquarters of the chiefs. A court clerk collects court fees and fines, issues receipts and records the cases in a register. A tax clerk issues licences and collects taxes, receives correspondence addressed to the chief and writes the chief's replies. In addition, there are other functionaries—community workers, forest guards, agricultural demonstrators, sanitary inspectors, market clerks, well inspectors and so on.

In other words, the position of the chief is becoming more and more that of an administrative head-of-department.[1] His position *vis-à-vis* his subjects is coloured by this. The chief is at once the people's representative to the Administration and the Administration's representative to them.

[1] Compare Burnet's statement about the Ngoni: "the great warrior chief has become in effect the only member of the Administration who never goes home to Britain on leave". Burnet, J. A., *Politics in a Changing Society*, 170.

2: Mitchell E-5 (1946-1949) 1954 FTT Yao FTT

The chief identifies a man who comes to see him in exactly the same way, and the Administration has adopted a similar system, except that it has its own definition of the village. During the initiation ceremonies, the initiands[1] are housed in long grass sheds which are subdivided into sections. Each section or room of the long shed houses the boys or girls from one village. If villages share a burial ground, they have allotted portions where they bury their dead separately. In these and many other ways the village is looked upon by the Yao as a distinct unit in the chieftaincy.

The chieftaincy in the old days was distinctly a territorial unit and all the villagers within that area recognized the superiority of the chief. The boundaries of the old chieftaincies were marked by rivers and hills and fixed after conquest and agreement. They are still well remembered. Modern chieftaincies are defined in their limits partly by Government decree and partly by custom. When Principal Headmen were appointed, the districts under them were demarcated with 'due regard being given to the composition of the Native population'. The traditional areas under the various chiefs, therefore, were recognized by the Administration as districts, so that the districts or their sections almost coincided with the chieftaincies. Some disputes between chiefs over boundaries have occurred from time to time and the Administration has had to arbitrate. For example, the Provincial Commissioner of the Southern Province reported a difference between Liwonde and Kawinga in 1936,[2] but through time these differences have been eliminated.

Traditional and Administrative boundaries do not coincide in a few places, for two reasons. Firstly, the Administration has accepted an obvious and physical boundary in preference to an indistinct and social boundary. It has taken the Domasi River as the boundary between Nzumanje and Mpasa, though in fact a few villages under Mbela, Kawinga III's son, live on the south side of the river, and fall for Administrative purposes in Nzumanje's area. Mbela is still very strongly associated with Kawinga in ritual and kinship matters. His dealings with the

[1] I am grateful to Prof. Schapera for suggesting this word for those who are undergoing initiation ceremonies. The parallel is with graduands, *i.e.* those who are undergoing graduation ceremonies.

[2] *Report of the Provincial Commissioner, Southern Province* (1936), 20.

J: Mitchell K-5 (1946-1949) 1956 FT7 Yao FT7

Administration, however, must be through the chief Nkunanje.

Secondly, some discrepancy has arisen because the Administration has not recognized all the indigenous chiefs. This has occurred mainly in Jalasi's area where there are at least two headmen who so far as I can judge were chiefs in their own right before the British conquest. These are Mkumba and Namwera.

Mkumba was the father of Nkata, the original invader of this area whose chieftaincy later took the name of Jalasi. Mkumba moved into the southern part of Nkata's chiefdom where he settled. Nkata occupied the north. As far as I can gather, Mkumba held rights to the ivory in his area and made sacrifices for rain—the main attributes of chieftainship. He still holds both types of initiation ceremonies and tries cases not involving large compensation. Nowadays, the office still commands some respect, though the present incumbent himself is not highly respected. The village under him has broken up since his accession.

Namwera came into the area before the White invasion with a small following from Mataka's area in Portuguese East Africa. He obtained chieftaincy rights over a large tract of land. Though I have not been able to check this in Government records, informants tell me that he was originally a Principal Headman, but that he was deposed largely because of the intrigues of Jalasi III with a Government clerk. Nowadays, Namwera claims to be independent of Jalasi and is markedly hostile towards him. The village headmen who came into the area still recognize Namwera's authority and take their cases surreptitiously to him, if they do not involve compensation. But as far as the Government is concerned he is merely one of Jalasi's headmen, and if it comes to a trial of strength, Namwera will have to recognize the authority of Jalasi.

In general, however, the Administrative system, in incorporating the main indigenous chieftains, incorporated the indigenous organization in its framework. Kawinga as a Native Authority is the superior of Chiwalo, his 'sister's son'; of Chamba, his 'son'; of Mposa, his 'brother's son'; and of Ngokwe and Chikweo who came to seek his protection. Kawinga holds his position both by virtue of his indigenous rank as a descendant of the original invader Kawinga, and also as a Government representative. Liwonde, also a Native Authority, resists Kawinga's

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

claims to primacy, and by the ideology of the kinship system is equivalent in status. In Jalasi's area, once again, the indigenous status of the chieftaincy is shown by the Administrative recognition of Jalasi against Mkumba, who was a minor chief, and Nanzwera, who had come to 'ask land from Jalasi', and who had to give some doves and some ivory for his chieftaincy rights in the area.

The relationships of Native Authorities to each other to-day are thus fixed partly by the Administrative structure, and partly by their historical backgrounds, and I have indicated that the structure the Administration imposed in the Yao areas was very largely determined by the indigenous structure which existed at that time.[1] The Administrative system to-day, therefore, supports the traditional structure.

The five chiefdoms with which this study is concerned stretch from Zomba in the south, almost to Fort Johnston to the north-east of the Shire River. These chiefdoms are Malemia in the north of Zomba district, whose area lies along the Malosa range of mountains north of Zomba as far as Mount Chaosi. Liwonde district stretches from Mount Chikala and Mount Chaosi in the south to Mount Mulli in the north. This district contains the chiefdoms of Liwonde and Kawinga and the minor chieftains under them. In Fort Johnston district which stretches from the north of Mount Mulli to Lake Nyasa are the chiefdoms of Jalasi, Nyambi, Katuli, Makanjila and an Nyanja chief Nankhumba. The chiefdoms of Jalasi and Nyambi abut those of Kawinga and Liwonde, and it is with these that we are mainly concerned.

Malemia, whose clan-name is *amwale*, was apparently the first of the Machinga chiefs to move into present-day Nyasaland from present-day Mozambique.[2] His group moved south-west past the north end of Lake Chiuta and settled for a while on Mount Mulli. Malemia was closely followed by Nkata, from whom the Jalasi chieftaincy developed and whose clan-name was *amkewe*, and his 'father' Mkumba, who moved in westwards past the north end of Lake Chiuta into the Mangoche Highlands. Here, together with the help of Kawinga and Liwonde, they attacked the so-called Mangoche chiefs (Mlumbe, Chikowi, Kapeni,

[1] Chap. II.

[2] The history of this chieftaincy is set out more completely in 'An Outline of the Social Structure of Malemia Area'.

2: Mitchell E-5 (1946-1949) 1956 FT? Yao FT?

Mataka, etc.), displaced them southwards and so established chiefdoms of their own. Mkumba moved to the south and Nkata set up a fortress on Mount Mangoche, from which vantage-point he resisted British conquest for many years. Kawinga and Liwonde, whose clan-name was also *andewe*, had moved in with Nkata but continued across the Shire River to settle in the Kiraswe Hills to the west of Lake Malombe. Later, Kawinga and Liwonde re-crossed the Shire and moved south-eastwards until they reached Mount Chikala. This in the meantime had been occupied by Malemia. Kawinga and Liwonde succeeded in dislodging Malemia who retired to the Malosa Range, where he is situated to-day. Liwonde then left the mountain to settle on the east shore of the Shire River.

The arrangement of these particular chiefdoms in Administrative districts therefore reflects the social relationships among the chiefs. Between Malemia and the two *andewe* chiefs, Kawinga and Liwonde, there is an uninhabited forest reserve and a mountain range. Liwonde and Kawinga who can trace their descent matrilineally from a common ancestress and who are to-day perpetual[1] brothers, together with their minor chiefs, share the Liwonde district. In spite of the opposition of these two chiefs which arises from their position as chiefs of independent chiefdoms, they sometimes meet and visit each other. Chiwalo, who from the Administrative point of view is under Kawinga, is in fact more closely related to Liwonde and has much more to do with him. But Chiwalo's headmen usually appeal to Kawinga, not Liwonde, in their difficulties. Within Kawinga's area at a funeral or an installation ceremony of an important headman in the northern areas, representatives of the nearby chieftaincies Ngokwe, Chikweo, Chiwalo and Kawinga will be present. In the south, the representatives of only Chamba, Mposa and Kawinga are likely to be present. Headmen, if they come from Liwonde's area, do so because of kinship connection and not because they are representatives of Liwonde.

The relationships of Jalasi and to some extent Nyambi, with Kawinga and Liwonde, are much more distant. Kawinga and Liwonde stand opposed to Jalasi in spite of the fact that Jalasi shares their clan-name. I have never known of Jalasi coming to visit Kawinga or Liwonde. Jalasi's area extends well down

[1] i.e. the offices are fixed perpetually in this relationship. See p. 122.

2: Mitchell E-5 (1946-1949) 1956 FT? Yao FT?

the Shire River to within about 15 miles from Liwonde's headquarters, and though he frequently tours his chiefdom in this area I have never known him to cross his boundary. The position of Nyambi here is interesting in that originally Nyambi's chiefdom was part of the Liwonde district. It was made part of this district in the early days of the Administration when Nyambi II, Nkata's sister's son who founded the chiefdom, opposed the reigning Jalasi and moved into the area where the chiefdom is now situated. The implications of Nyambi's being in Liwonde district was that he had to sit on District Councils in Zomba with Kawinga and Liwonde instead of with Jalasi in Fort Johnston. I understand that since the original Nyambi died his several successors have made requests to the Administration to be included in the Fort Johnston district. Finally in 1948 the request was granted and Nyambi's chiefdom was once more linked with his perpetual foe's in Fort Johnston district.

The opposition of the chiefdoms as wholes appears in other situations as well, often where it is not expected. For example, there are two tobacco markets in the area studied. One is in Nyambi's area and the other is about 25 miles away at Mlomba's village in the extreme south of Kawinga's area. Mlomba is a uterine brother of the present Kawinga. Chiwalo's chiefdom about Nyambi's and tobacco growers need to transport their produce only six or seven miles to the market in Nyambi's area. Yet several growers told me that they were taking their produce the 25 miles to Mlomba market because they felt in some vague way that the Chiwalo people got lower prices for their tobacco in the Nyambi market than the Nyambi people.

The cleavage between the chiefdoms is also expressed in their religion. Kawinga, Liwonde, Jalasi and Nyambi are all Moslems and very few of their followers are Christian. Malemia is a Christian and very few of his followers are Moslems. But between Kawinga and Liwonde on one hand, and Jalasi and Nyambi on the other hand, there is a cleavage in terms of a schism among the Moslems. One group, the *twaliki*, became centred at Jalasi's court village Majuni. The *twaliki* believe that Islamic devotions should be accompanied by loud singing and chanting of Arabic tracts and by particularly vigorous dancing. Even at funerals this type of prayer is required. The other sect, the *sukuta*, centred at Kawinga's and Liwonde's court villages,

2: Mitchell E-5 (1946-1949) 1956 F77 Yao F77

631 advocates the more orthodox type of Islamic devotion in which
643 a quiet restrained manner is emphasized. As far as I know the
785 Swahili sect are confined entirely to Juhasi's chiefdom and the
adults to Kawinga and Liwonde. In this matter, Nyambi's
people side with Kawinga's and Liwonde's.

On the other hand, local informal organization is well de-
631 veloped so that Chiwalo who is at the point of juxtaposition of
643 Kawinga, Liwonde, Nyambi and Juhasi chiefdoms, may try cases
652 involving headmen from any of these areas, and they usually
accept his arbitration. His is the nearest court house. The actual
boundaries of the four areas, however, are very clearly recognized
and Chiwalo realizes the limits of his jurisdiction. Though he
may arbitrate in a difference between headmen, he would not
dare to apportion land outside his area. Headmen living on the
boundaries of two chiefdoms arbitrate in each other's cases; the
villagers under them intermarry. A village in Chiwalo's may
621 procure garden lands in Juhasi's area, and children may be initiated
631 at ceremonies held by headmen in other chiefdoms. There is no
643 clear break in the normal social relationships of people across the
boundaries of chiefdoms, and their members interact as freely
with each other as members of two villages of the same chiefdom.
The cleavage between the villages on different sides of the
boundary of a chiefdom becomes apparent only in special
situations.

631 The formal relationships of the chiefs, set by the history of
643 their conquests and their kinship, and incorporated in and slightly
modified by the Administrative framework, are overlaid by an
informal local organization where the interaction of village head-
men only conforms to the formal pattern when no agreement
can be reached.

The Position of the Modern Chief

643 In ritual situations a chiefdom is clearly differentiated from its
761 neighbours, and many of these situations arise in the cult of
783 tendence on the ancestor spirits. The ancestor cult has fallen
away almost completely among village headmen, but among the
chiefs it is still strong, and appears particularly in the rain-
prayers and the initiation ceremonies. Later, I shall discuss at
length the importance of the chief's sanction before headmen
may conduct initiation ceremonies. This is because the spirits

2: Mitchell E-5 (1948-1949) 1956 FT7 Tao FT7

of the ancestors of the chief are supposed to affect the welfare of the inlands. Though some village headmen may conduct initiation ceremonies they are unable to offer rain-prayers. These are offered by a chief on two occasions. The first is in November, before the rains have started. The chief's wife and some women from the bigger villages in the near vicinity of the chief's village gather at his hut. They brew beer—*ukwa waviuka*, the beer of the spirits—to be used as a libation. At sunset on the appointed day the chief goes to the shrine tree where some headmen have gathered, and pours some of the beer into a pot, partly buried at the root of the tree, while he invokes all the spirits of his departed ancestors—mainly matrilineal but occasionally some patrilineal. He then entreats the spirits to send some rain and to look after their 'children' in the land. Sometimes a length of calico is hung on the tree as an extra offering. Should no rain fall the chief will have to repeat the offering until it does fall. When the rains have ended in March he makes a second offering 'of thanks'.

In the context of the present discussion, the important point is that it is only the chief who can make this libation and offer this prayer. If his plea fails the whole area starves, and no headman may supplicate his ancestors on his own behalf or approach the chief's ancestors through his own ancestors. The grain for the beer comes from the various villages, but not on a fixed rate of levy. Some villages never contribute. The chief buys the offered cloth on behalf of his people. When in 1948 the cloth on the shrine tree was stolen, Chiwalo imposed a levy on the village headmen in the area so that a new cloth could be bought. Here the boundaries of the chiefdoms are important, and no headman outside Chiwalo's area was approached. A village headman from Jalasi's area, though geographically much closer to Chiwalo, relies on Jalasi's rain-offerings and may not approach Chiwalo or plead with him to offer a rain-prayer to his ancestors.

Another ritual situation in which the limits of the chiefdom appear is during the institutionalized pillage on the death of a chief. I have not been in any area when the chief has died, so that I rely here on the tales of informants. During the mourning rites certain feasts are held. The food for the mourning feast of a commoner or village headman is provided from his estate

by his relatives. For the feasts during the mourning at a chief's death the food is acquired by institutionalized pillage (*cipisinde*). The villagers in a chiefdom are often first informed of the death of a chief by the appearance of men from his village. These men are by custom allowed to take from a village any article of food they can find—flour, a goat, some chickens, prepared relish, or whatever is lying around in the village. The owners of the food may not charge them with theft. This food is used in the funeral feast. The excesses to which the chief's men may go became circumscribed after the White conquest. Previously, almost any crime short of murder could be committed under the guise of *cipisinde*. More recently, owing to Government suppression, it has been restricted to the taking of smaller articles of food, such as flour and chickens. Some people are beginning to object even to this. The chief's funeral is a public affair and all his subjects may attend it. The effect of the *cipisinde* is to bring together enough food for the chief's funeral feast. Here, as before, the chief's men may not cross the boundary for fear of reprisals, and the effect is to impose a levy in an informal way over most of the villages in the chief's area.

The Chief as a Symbol of Unity

The chief is a representative of his people and it is his particular duty to ensure their welfare and that of the chiefdom as a whole. His symbolic representation of the unity of his people is brought out clearly by his right to fines in cases involving bloodshed and arson. Strife and division in a chiefdom in the old days were likely to end in spilt blood and burnt huts so that the Yao associate bloodshed and hut-burning with dissension within the chiefdom.

Most other offences are against the individual and not the chiefdom as a whole: the case is brought to the chief so that compensation may be awarded. Adultery and theft thus are definitely civil offences. Nowadays, a fine is imposed, but this is seen to be a White innovation, and the money from it is looked upon as 'Boma' money.[1] In disputes where blood has been shed, however, the chief is entitled to fine the guilty party on his own account. The chief is said to be 'blinded' by the blood and a payment must be made to him before he may 'see'

[1] i.e. Government money.

2: Mitchell E-5 (1945-1949) 1956 FT? Yao FT?

again. In the past, disputes hinging on murder had this aspect, though they were usually settled by a fine. Nowadays, of course, all murder cases are lifted altogether out of the hands of the chief, but the special fine for bloodshed is still levied in cases of assault. When a man is convicted of assault in the chief's court he will have to pay three separate amounts: one to the victim as compensation, one as a fine to the Native Treasury, and one to the chief 'so that he may see again'.

A similar provision applies to cases of arson. When a case is brought to the chief because a man has burnt another's hut, the chief will say that the guilty man has 'brought a torch into his country'. The man convicted of arson will have to pay a special fine to the chief in the same way as the man who caused bloodshed. The association of the unity of the chiefdom with fire probably has some place in the attitude of the chief here. People who have come to a chiefdom as strangers are said to have come to 'seek the chief's fire',[1] and all the fires in the chiefdom are supposed to have been kindled from one flame. This expresses the unity of the chiefdom: the burning of the hut, therefore, symbolizes the introduction of discordant elements, as well as being a serious crime in itself.

The Chief's Judicial Functions

It is clear from MacDonald's writings that in pre-White days the chief settled most of the serious disputes in his chiefdom. Nowadays, this function of the chief has been given legal sanction under the Native Courts' Ordinance of 1933. 'A' grade courts have the power of imposing fines not exceeding £5, or 6 months' imprisonment and 12 strokes whipping; and 'B' grade courts may impose fines not exceeding £1 and imprisonment including hard labour not exceeding one month, but not corporal punishment. The Native Authorities, Jalasi, Nyambi, Kawinga and Liwonde, all have 'A' courts; the Subordinate Native Authorities, Chikweo, Ngokwe, Chiwalo, Chamba, Mposa, Mlomba, Stora, have 'B' courts. Only a certain proportion of disputes is brought for trial in these Native Authority courts. This is because, firstly, the Administration does not admit the legality of some disputes. Most of these centre on charges of witchcraft,

[1] A similar view of fire in the village context is discussed in Chap. V, p. 112.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

but some also on having killed children by *ndaka*[1] (a disease caused by the mystical influence of sexual intercourse). Secondly, other cases not brought to the court are petty squabbles which do not involve heavy compensation. Examples of these disputes are personal quarrels, disputes over land ownership, petty theft and so on. The Native Authority's court handles mainly cases arising from adultery, which involve compensation varying from £1 10s. to £5; and theft and assault for which similar compensation may be payable. If the case is brought up to the chief's court there is a mechanism whereby the compensation may be enforced. Ordinarily, in those cases which are not tried in the court house, there is no legal sanction behind the payment of the compensation, so that if a man defaults in payment no legal pressure can be brought to bear on him. It is for this reason that such cases are tried in the court house.

The cases are heard by the court assessors who call the witnesses and cross-examine them. Sometimes a chief or his representative is in the court, as at Kawinga's court, but sometimes as in Chiwalo's court, the chief never comes to the court house at all. After the evidence is sifted, one court assessor takes the case to the chief and tells him about it. On the basis of the court assessor's analysis he awards compensation and imposes fines. The court assessor then takes this information back to the court house, reassembles the protagonists, and announces the chief's decision. The losing party has then the opportunity to appeal, first to the court of the Native Authority, if the case was tried in a Subordinate Native Authority's court, and then to the District Commissioner.

Cases tried by the chief in his extra-Administrative capacity are usually tried outside the court house. The same personalities take part in the trial but they act now with reference to a different set of values. The procedure is exactly the same, except that in Chiwalo's area the chief is present at the hearing. He sits somewhat aside from the main body of people but within hearing distance, weaving a mat or making nets while the case is being tried.

In minor cases, if either of the parties is dissatisfied with the decision, he may take the case up to the chief for arbitration and, theoretically, may then take it from him if he is a Subordinate

[1] See Chap. V, p. 112.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

Native Authority, to the Native Authority, and eventually to the District Commissioner if the case is one which he will countenance. In practice, most cases reach the chief and go no further. Most people accept his decision. Thus the chief has important judicial functions.

The Chief as his People's Representative

In special situations where the welfare of the chiefdom as a whole has been endangered by an infringement of the mores, the chief may take action. For example, a chief prosecutes a village headman who allows a woman in his village to bear her first child before she has been through the *litiwo* ceremony. Every woman who becomes pregnant for the first time must undergo this ceremony, during which she is instructed in child welfare and child care. If she bears a child without undergoing the ceremony, she is said to have 'spoilt the country' (*ajalwice cilambo*), in the sense that she has besmirched its reputation.[1]

Chiefs usually call in magicians 'to smell out' those responsible for keeping back the rain.[2] When the rains fail as they did in 1948–9, their failure is held to be due to the magic of some evilly disposed person. It then becomes the chief's duty to call in a magician to indicate who this person is. The fees for this duty are paid by the chief himself on behalf of his people.

The chief also acts as a representative of his people when they are affected as a whole. For example, Nyambi called in a magician after man-eating lions had taken some of his subjects. This magician called for the hearth-stones and domestic utensils from all the villages in the area, and built them up into a pyramid over which he made some anti-lion medicine. This was to clear the whole chiefdom of man-eating lions.

Nowadays, the chief's representation of his people is seen most clearly in his position in the Administrative framework.[3] The chief represents the Administration to his people since they approach it through him. At the same time the Administration clearly treats him as the representative of his people and consults

[1] I was told in Mponda's area that the women undergo this ceremony *after* the birth of the child, but that it is still obligatory.

[2] *Kutawa ula*—lit. 'to tie or bind the rain', in the sense of to make it a prisoner.

[3] I have dealt with this aspect more fully in 'The Political Organization of the Yao of Southern Nyasaland'.

2:Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

643 him about the laws it intends to introduce which affect his people. The Administration transmits new Ordinances and Regulations to the chief and he must then relay them to the village headmen. When it advises the chief of a new law it thereby advises the people of his chiefdom.

The Origin of Villages in Modern Chiefdoms

195 621 We have thus far been looking at the chiefdom as an organization of villages united by their common interests in and association with one chief. But the villages that compose the chiefdom are not all equally closely integrated into the political structure. This is most clearly seen against the background of how the modern chiefdoms came into being.

175 621 563 By the time that the 1912 Ordinance was introduced the social composition of the chiefdoms had undergone some change from what it was before the White conquest. Before the White conquest the Yao chiefs had overcome the indigenous inhabitants of Southern Nyasaland. Some of these had been allowed to remain in the area as subjects. Others were enslaved. There were some Nguru, Nyanja and Mpotola village headmen who had come to seek the protection of the Yao chiefs.

175 621 166 During the conquest, the territory was thrown into confusion, and villages fled in abandon from their own into neighbouring chiefdoms both in Southern Nyasaland and Mozambique. When the Administration allowed the chiefs to return, most of the important village headmen and their followers returned with them. Kawinga, for example, was allowed to return, not to Mount Chikala but to the area immediately to the north of it. He brought back with him most of his important headmen who had fled with him to the country of the Mpotola chief Nkanyela, in Mozambique. Jalasi was allowed to return from Portuguese Territory in 1906,[1] not to his mountain fortress Mangoche, but to a smaller hill Sakalwe some miles to the east. He gathered round him a few of his important headmen.

When hostilities ceased, there was a certain amount of internal readjustment. Some villages which had fled to other chiefdoms in the Protectorate started to come back while others stayed behind. To-day there are villages here and there which had left their chiefdoms in the confusion and had then joined their present

[1] District Book, Fort Johnston.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

622 795 787 them follow the tenets of Islam in only the most cursory way. An Nguru therefore admits to being a Pagan more readily than a Yao, because he cannot identify himself with the Invading group.

Kinship with the Chief

632 643 The most important way in which the three categories differ, however, is in the degree to which they are associated with the chief. While the Invaders are identified with the chief because of their association with him in the invasion, they are also tied to him to a greater degree by various kinship links than the other categories of headmen.

Although the exact composition of the Invading groups will never be known, it appears from the accounts of old men, that the groups were made up primarily of the chief and his younger brothers, together with their sons and slaves, and some unrelated followers. Other chieftaincies and village headmen have sprung from the chief's lineage. For example, Kawinga was the leader who brought the present Kawinga-Liwonde group into Nyasaland. The first man to be called Kawinga left the Lujenda River where he was living with an elder relative called Nsanama, whose exact genealogical connection I have never been able to determine. Accompanying them was Liwonde, a younger brother of Kawinga. As they passed through the country just west of Lake Chiuta they encountered the Mpotola under Chikweo, and these joined up with Kawinga and his relatives and went to Kongwe on the west side of Lake Malombe (in the present Kalembo's area). From this place they were displaced by the Ngoni and returned east and south to the Chikala Range where they displaced Malemia and occupied the heights. Subsequently, Liwonde left the mountain and went to live on the Shire River where the old Government station used to be. From this point on, Kawinga and Liwonde seem to have acted almost independently. Nsanama seems to have stayed with Kawinga. Chamba who was the son of the first Kawinga now set himself up as a chief on the south side of Chikala and Chaoni. Mposa, the son of the first Liwonde, moved to the shores of Lake Shirwa and set himself up there. Chiwalo, a sister's daughter's son of the first Kawinga, set himself up on the northern fringe of the area. Recently Stora, a sister's daughter's daughter's

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

daughter's son of the first Kawinga, has been recognized as a subordinate Native Authority. Village headmen also develop in the same way from the relatives of the chief. Among the 205 village headmen who are of Invader stock, there are 62 who are

TABLE VII

PROPORTIONS OF RELATED AND UNRELATED HEADMEN AMONG THE INVADERS

Chief's Relatives						Non-Relatives	Total
Direct			Clan				
Mat.*	Pat.	Aff.	Mat.†	Pat.	Aff.		
17 8·3	35 17·1	10 4·9	37 18·0	22 10·7	12 5·9	72 35·1	205 100%
30·3%			34·6%			35·1%	

* Includes the six chiefs themselves.
† Those who have the same clan-name.
Mat. = Matrilineally related; Pat. = Patrilaterally related; Aff. = Affinally related.

either chiefs, their direct matrilineal relatives or their direct patrilateral relatives. This represents 30·3 per cent of the total. Of these 35 or 17·1 per cent are patrilateral relatives.

The chief's sons occupied a very strong position in the early Yao chiefdoms. Most sons of the early chiefs were their children by slave-wives. Since there was no one on their mother's side from whom they could inherit rank, it follows that they could only expect to achieve status through their father, the chief. Yet they were not, as his younger brothers and his sisters' sons were, a danger to him, because they were not in the line of succession and had no reason to wish his death. On the contrary, the bonds that unite father and son in Yao society are strong but not formal. The chief's sons, the *acibwana*, therefore came to occupy some of the most trusted positions under him. They became his military leaders; they led his caravans to the coast and back; they were the messengers who represented him to foreign chiefdoms and to the Whites when they came. In these positions the chief could trust his sons, because he knew that they

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

622 643 644 had no hostile axes to grind. Younger brothers and sisters' sons might have used the military forces against him, or they might have squandered the wealth of the caravans because they had a jural right to it. As the sons grew older they were given groups of slaves and slave-wives to look after, and so they became village headmen under the chief. Many of them came to have initiation rights and hold other positions of importance.

622 643 602 601 The chief was also connected to other Invader headmen through marriage. It is clear that affinal links become in time cognatic, but the marriage of the chief with a headman's sister fixes the relationship between that headman and the chief in perpetuity. The succeeding chief does not look upon the village headman who is his mother's brother's wife's brother as a father-in-law, as he would if he were a commoner, but instead calls him 'brother-in-law'. Also, all the successors of the village headman call all the succeeding chiefs by this term, so that the political structure of the area becomes phrased in a kinship idiom: the quasi-kinship of headman and chief in this context becomes suffused with political meaning. The number of village headmen who claim some affinal relationship to the chief is not great—only 10 of the total of 205 (i.e. 4·9 per cent).

TABLE VIII

622 643 602 PROPORTIONS OF RELATED AND UNRELATED HEADMEN AMONG THE NEWCOMERS

Chief's Relatives						Non-Relatives	Total
Direct			Clan				
Mat.	Pat.	Aff.	Mat.	Pat.	Aff.		
0	13	15	24	13	16	300	381
0	3·4	3·9	6·3	3·4	4·2	78·8	100%
7·3%			13·9%			78·8%	

Among the Aborigines and Newcomers, naturally, there are very few direct relatives. There are, of course, no matrilineal relatives. The patrilateral relatives amongst the Newcomers (3·4 per cent) are those of Kawinga who have moved into Chamba and Liwonde areas. There have been various mar-

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

riages between the chiefs and Newcomers and as a result there are 3·9 per cent of the Newcomer headmen who are linked affinally to the chiefs. The proportion of affinally-linked headmen in the two categories is approximately the same. The major differences are among the proportions of headmen linked by matrilineal and patrilateral ties to the chief.

Clanship with the Chief

A more numerous category is those who are related to the chief, not by common descent but by clanship.

Informants tell me that before the Whites came to Nyasaland, each person took the clan-name of his mother. People who had the same clan-name were said to be ' of one kind ' (*lukosyo lwamo*). The word *lukosyo* had no other meaning but ' kind ' or ' sort ', and the word *mtundu* is frequently used as a synonym. If a man is asked his *lukosyo*, he is as likely as not to give the reply ' Yao ' or ' Machinga ', i.e. his tribal origin. By extension it follows that if two people have the same clan-name inherited from their mothers, and their mothers in turn have inherited it from their mothers, and so on, eventually there must be a common ancestress. The two people therefore call each other ' brother '. However, among the Yao there are no stories of the origin of clans and only vague traditions of a common clan ancestress. I often questioned Yao about their clan-names and joked with them that though they were Invaders they shared the same clan-names as their subjects. The clan-names I found among the Machinga Yao were *apiri*, *amilasi*, *ambewe*, *abanda*, *asimbiri*, *amwale*, *angoma*, and these clan-names also appear among the Marawi group of tribes (Cewa, Maŋanja, Cipeta, Mbo, etc.), the Lakeside Tonga of Chinteche district, and the Mpotola and Lomwe or Nguru from Portuguese East Africa. The Achisi Yao under Katuli, a group related to the Mataka Yao from Portuguese East Africa, do not have these clan-names, nor, as far as I know do the Yao in Tanganyika. Clan-names, therefore, may be a feature of the Machinga Yao in Nyasaland, acquired as a result of their contact with the Marawi and other indigenous peoples of that country. It is significant that the clan-names are not as a rule common Yao words for everyday objects in the same way that clan-names amongst, say, the Bemba of Northern Rhodesia, are names of plants, animals and other natural phenomena. The word

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

622 643 614 ***amilasi*** is used for bamboos and once an informant when pressed told me a tale of a group of people who in dire starvation ate bamboo leaves and were thenceforth called after the bamboos. This story, however, was discredited by others and I pass it off as unimportant. There is, however, some evidence that the words *apiri amilasi*, *ambewe* and so on, are commonly used in Nyanja, and possibly amongst the Lakeside Tonga who were once part of the Marawi peoples, for objects other than clan-names.

614 582 Informants say that people with the same clan-name could not marry in the past,[1] so that the clan appears to have had the characteristics of an exogamous descent group. The position to-day is vastly different. Not only do people take the clan-names of their fathers, but many young people do not even know their clan-names at all.

614 611 567 At this point I should make it clear that the modern confusion about clan-names is no doubt partly due to the emphasis placed on patrilineal descent by the purveyors of White culture, the Administrators and the Missionaries, and also by the same emphasis in Islamic tradition which has influenced most Yao groups. Another factor in the situation is that slave descent still markedly affects social relationships in modern Nyasaland. Its significance here is that when a man took a slave-wife in the old days, his children by her took his clan-name, and not hers. Patrilineal descent of the clan-name therefore tends to point to the slave origin of a person. People who are able to point to a freeman ancestry are proud of this fact and are proud to be able to claim a clan-name associated with a long line of matrilineal ancestors, particularly if there were some well-known men among them. On the other hand, I found it a fairly safe indication that, if I could find no information about an ancestress, particularly her clan-name, then I was dealing with a group descended from a slave. A third factor is that some people 614 611 explained their lack of knowledge of a clan-name by the state of social unrest and confusion at the end of the last century. As a result of the incursions of the Ngoni, Nguru and slave-raiding Yao and Arab groups, and finally the punitive expeditions of the British and the Portuguese, villages were destroyed and groups annihilated. People lost contact with their relatives, even

[1] Confirmed by Hynde, R. S., 'Marriage and relationship among the Yao', *Nyasa News*, vii (1895), 217–18.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

their parents. Therefore many people who were children then, but adult to-day, say that their parents were 'lost running from the wars' and that they were never told their clan-names.

Whatever are the factors which have led to the comparative lack of importance of the clan-name in the social relationships of commoners to-day, the clan-name has preserved its significance in the political structure. I have already said that the clan-names associated with particular village headmanships and chieftaincies are well remembered, and this fact is not without significance. It seems likely that the clan-name was used in earlier times by groups as a method of claiming protection. The same set of clan-names appears throughout the tribes which surround the Machinga Yao. It seems likely that the adoption of clan-names facilitated their incursion into the country, and it is certain that insurgent Yao groups have used the clan-name as excuses to move into an area, and gradually to extend their dominance over it.

For example, in Malemia's area there is an Nyanja village headman called Nyani, who has the clan-name *amwale*. Stannus reports that when Malemia moved into this area he claimed brotherhood with Nyani because of the clan-name, and was able to obtain from him the land extending from the Likwenu River to the Namadsi River, a district 30 to 40 miles long.[1] Again when Kawinga fled from Chikala after the British raids on it, he went to the land of Nkanyela, an Mpotola chief in Portuguese East Africa, who is also an *ambewe*. That the clan-name is used essentially in this political field is illustrated by the relationships of Mposa to Mbande. Mposa, the son of Kawinga I, settled in the country of the Nyanja chief Mbande, who had the same clan-name as Mposa, viz. *amilasi*. Mposa calls Mbande 'brother' to-day and Mbande holds a position of honour and rank in Mposa's chiefdom. It is significant that other village headmen such as Cilombo, Mbalika and Mkwinda also have the same clan-name, but they do not claim kinship to Mposa. In modern times, when there is no longer any great danger to be incurred in moving from one part of the country to another, it seems likely that the necessity for some mechanism, whereby the friendship of otherwise hostile groups could be secured, falls away. In other words, the significance of the clan-name is gradually disappearing as its functions atrophy.

[1] Stannus, 'The Wayao of Nyasaland', 237.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

614 Relationship may be claimed not only through having the
601 same clan-name, but also by patrilateral and affinal clan ties. For example, one of the early Kawingas is supposed to have married an *abanda* woman. Therefore Chikweo, whose clan-name is *abanda*, calls Kawinga 'brother-in-law' (*alamu*). Some of Kawinga's village headmen also call him brother-in-law because of the clan-name. Ngokwe, whose clan-name is *asimbiri*, had an *amilasi* father, so that many of his *amilasi* headmen call him 'son'.

614 Here, as before, there are more Invader headmen who claim
622 to be clan relatives of the chief (34·6 per cent) than Newcomer
643 headmen (13·9 per cent) (see Tables VII and VIII). Once again the proportion of headmen who claim affinal links to the chief is approximately the same in the two categories and the main difference is in the proportions who have the same clan-name and who are clan-patrilateral relatives in the way I have explained. I have mentioned that though many headmen have the same clan-names as the chiefs or the clan-names of the chiefs' fathers, they do not all claim to be clan-relatives of the chiefs. There is no reason to suppose that the distribution of clan-members is different between the Invaders and Newcomers, so that it seems likely that more Invaders claim the clan-relationship to the chief when they can, than do Newcomers.

Unrelated Headmen

622 The striking difference between the two main groups of head-
643 men is in the proportion not related to the chief. Among the Invaders only 35·1 per cent of the headmen cannot claim some kinship link to the chief. Among the Newcomers, however, roughly double that proportion (78·8 per cent) are in this position. Among the Invaders some of the unrelated headmen hold positions of importance by virtue of their independence of the chief. These are the *nduna* whose functions I describe later.[1] Among the Newcomers, however, there are no *nduna*, so that this difference between the categories is one of the most important.

In Tables VII and VIII I have omitted a total of 105 villages, 93 of which were small villages whose relationship to the chief I did not record. All these villages were settled in distant and inaccessible places and I asked about them from the chiefs and

[1] Chap. IV, pp. 92–3.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

their councillors at the courts. If they were relatives of the chief it is almost certain that he would have mentioned them. We may assume then that the true proportion of unrelated headmen among the Newcomers is, as we would expect, very much greater than among the Invaders.

Of the total of 424 Administrative villages there were ten in which I did not record the formal relationship to the chief. In Table IX I set out the proportions in these categories among the Administrative village headmen, and there is no radical difference between these proportions and those for all village headmen.

TABLE IX

PROPORTIONS OF RELATIVES AND NON-RELATIVES AMONG ADMINISTRATIVE HEADMEN*

	Chief's Relatives						Non-Relatives	Total
	Direct			Clan				
	Mat.	Pat.	Aff.	Mat.	Pat.	Aff.		
Invaders . .	18 (13·2)	23 (16·9)	6 (4·4)	24 (17·6)	11 (8·1)	9 (6·6)	45 (33·1)	136 (99·9 %)
Newcomers .	0 (0·0)	9 (3·5)	12 (4·7)	20 (7·8)	11 (4·3)	12 (4·7)	193 (75·1)	257† (100·1 %)
Total . .	18	32	18	44	22	21	238	393

$n = 6$; $\chi^2 = 90{\cdot}5$; $p = 0{\cdot}0001$.

* This table excludes the 21 Aborigines.

† Excludes 10 villages for which I have not recorded this information.

To summarize, we may characterize the Invaders as Yao, Moslems, and associates of their chiefs by historical connections and kinship ties. The Newcomers and the Aborigines on the other hand are of different tribes. They have more diverse religions, are not connected to the chiefs by kinship ties as closely as the Invaders are, and do not share with them the strong bond of being co-Invaders. It is in the struggle for prestige and rank that these bonds with the chiefs assume significance.

2: Mitchell B-5 (1946-1949) 1956 FT7 Yao FT7

in the ritual of the chieftaincy more than Newcomers do; provide the chief's councillors; pay rain-levies and in other ways express their closer tie with him. But there is no rigid class structure based on tradition. All villages are liable to break up. If for any reason the village's internal cohesion begins to weaken, its members scatter and it disappears as a political entity. Invader as well as Newcomer villages may thus disintegrate. The smaller sections of an Invader village which now set up villages of their own have to compete with the larger and more united villages of Newcomer origin. Another facet of the political process, therefore, is the continual competition of village headmen who are trying to maintain the unity of the villages under them, and to increase their following, so that their status against the chief and the other village headmen may be enhanced.

Marks of Rank

In the vernacular it is the *name* of the village which is said to be important.[1] This name is usually taken from the founder of the village and is assumed by a new village headman when he succeeds to the position: when a new village is founded the headman gives it his name to distinguish it from the parent village. But the importance that is ascribed to a name is clearly the importance of the corporate group which it represents. The headman is an incumbent of a social status, the prestige of which is drawn from the corporate group which he represents in his public dealings.

The prestige of village headmen is shown particularly in the degree of deference accorded to them by other village headmen. The headman with the highest prestige is of course the chief: the original leader of the Invaders. Below him may be ranked the rest of the village headmen in a relatively fixed pyramidal hierarchy, determined by a number of factors which I shall outline later.

The dress of important headmen is often an indicator of prestige but this criterion is not infallible nowadays when labour migrants, craftsmen and tobacco growers can afford to buy better clothes than many headmen. But it is usually a fairly safe guess that when a man carries a long stick and is dressed in long flowing

[1] *Lina lya kulungwa*—lit. 'the name is great'.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

622 554 648 annuity. This recognition publicly announced their superior status, because not all headmen could be Administrative headmen. We do not know exactly how the Administrative headmen were appointed when the Ordinance was introduced. The observable results, however, are that no headman, as far as I am aware, who was of superior status in the indigenous ranking system, is not an Administrative headman to-day. Being an Administrative headman is then in itself an indicator of rank.

622 554 643 415 769 881 Rather more important than this is the right to hold initiation ceremonies. MacDonald says that these rights were held by the chief only, but it is not clear whether the word 'chief' used here refers to the village headmen or the 'chief of the land'. Nowadays, the rights are held by village headmen as well as the chief. The right to hold initiation ceremonies is signified by the possession of a small flat basket (*ciselo*) in which the oblational flour for the ceremonies is carried. When a chief grants a *ciselo* or oblational basket to a village headman, what in fact he does is to grant him permission to approach the spirits of his ancestors. The headman uses the basket on three occasions during the initiation ceremonies. First, before the ceremony is announced he pours a little cone of sorghum meal at the root of a special tree in or near the village. This tree is known as the *nsolo*, or the shrine-tree where all offerings to the ancestors are made. While he works the flour through his fingers to allow it to fall in a cone, he calls on his ancestral spirits and asks them to intercede on his behalf with the spirits of the chief's ancestors. He then formally requests permission to hold the initiation ceremony. This cone is left intact through the night. Should it collapse the interpretation is that the spirits are not willing that the ceremony should take place and it is postponed for some days. Offerings are made until eventually the cone, by remaining intact through the night, indicates that all is propitious for the ceremony to be conducted. The second occasion when the oblational basket is used is when the village headman or chief goes down to the grass sheds where the rites of segregation and aggregation take place. Here he pours flour over a twig and begs the safe conduct of the initiands through this physically and mystically dangerous period. Third, each individual initiand, and his or her mother, is touched on the forehead and forearm with the flour on the evening that the initiands leave for the grass sheds. During

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

the last rite the owner of the oblational basket exacts a payment of threepence or so from each parent. The headman does gain financially from the initiation ceremony, but it would be wrong to imagine that this is the only reason why he should want to have the right to hold it. The competition for the rights, which are limited to a few, is part of the general political process whereby village headmen compete for privileges and advantages over their fellows.

Village headmen may hold either the boys' or the girls' initiation ceremonies, or both. Sometimes, when they hold both, they delegate the girls' ceremony to a younger brother or some other relative without referring to the chief. For example, Kawinga's clan relative and important retainer, Ngalawanga, had the rights to both initiation ceremonies, and he allowed his perpetual 'son' Isa [1] to hold the girls'. Also in Nyambi area, Majaja, who had both initiation rights, allowed his perpetual 'son' Nantunga to have the girls' ceremony. It is generally conceded that the right to hold the boys' initiation ceremonies is more valuable than the right to hold the girls'. H. L. Duff, writing in 1906, had also noticed this when he wrote:

> The respective ceremonies seem to be considered as on a somewhat different footing, for the boys' *inyago* can properly be held only at the village and under the patronage of, so to say, the paramount chief of the neighbourhood, whereas the girls' initiation may take place under the auspices of an inferior headman. This distinction is still jealously observed and any breach of the chief's privileges is apt to lead to bitter dispute.[2]

The sanction the chief holds over the headmen in this respect is mystical. A village headman believes that the initiation will be a success (that is, that the initiands will be free from the harm of wild beasts and illness, or the circumcision wounds of the boys will heal quickly and well), only if the approval of the chief's ancestors is obtained. He cannot hold the initiation ceremonies, unless he has obtained the basket from the chief.

Most people still follow tribal initiation customs, but in the extremes of the area in which I worked, religious ideas are bringing about a change. In the north in Jalasi's area where Islam

[1] The first Isa was the son of Ngalawanga and this relationship is preserved by the modern incumbents of the headmanships. See Chap. V, p. 122.

[2] Duff, H. L., *Nyasaland under the Foreign Office* (London, 1906), 312.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

Arabic greeting to their seniors. This is done by placing the left hand on the chest and bending slightly forward to the village headman, saying, '*Subaye*'. The senior should then respond, '*Alaye*'. Also, important headmen are usually buried in the centre of the village, not in the common graveyard. The tomb of an important headman or personage, usually built of stones, concrete or brick, is called *nsati*. The right to bury in the village must be obtained from the chief 'because the land is his', and in Kawinga's area a fee of 6*s*. must be paid to him.

The Struggle for Government Recognition

Thus far, I have been discussing the ways in which the rank of village headmen may be expressed. I now describe the way in which these marks of prestige are associated in the three categories of headmen we have distinguished, and in what way the competition between them is phrased. I have already described how all the chiefs in the areas to which I am referring are all successors of the original leaders of the invasions, and are usually the present Government representatives or Native Authorities.

The people must recognize the rank of chief because mystical beliefs prescribe activities in one direction, and because the limiting structure of the White Administration does so in another. A village headman cannot hold initiation ceremonies without the permission of the chief because of the mystical sanction, but the chief also has legal authority over his subject headmen. He as Native Authority is recognized by the Government and is its representative to his people. The Native Authority Ordinance (1933) specifically imposes penalties on those who do not recognize the authority of the chief. Under Section 12 of the Ordinance, the Native Authority may arrest without warrant any person who is accused of failing to obey his order or direction, interferes with his lawful duties, professes to be a chief or assumes the duties of a chief without Government approval. Under Section 13(*i*) severe penalties are imposed on any person who conspires against or in any way attempts to undermine the lawful power and authority of any chief or Native Authority. His position is therefore greatly strengthened against the village headmen and I have been told of one or two prosecutions by chiefs under this section. Nowadays, the mere threat of

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

622 643 554 648 action under this Ordinance is sufficient to cow his opponents. Therefore, the chief may also control the rise to power of his headmen because he is a Government official. At the same time a village headman may not move away to form a chieftaincy of his own: should he migrate with his followers nowadays, he will always find himself under a White system of Administration which upholds some other chief against him. The rank system must operate within a circumscribed framework and in reference to the chiefs.

622 554 648 I have already mentioned that being an Administrative village headman is a mark of prestige. Most of the struggle for rank revolves around this axis. Under the 1912 Ordinance, village headmen were only recognized if they had at least 20 taxable huts under them and they were paid a small annuity proportionate to the number of their taxable huts.[1] Before a headman could be recognized, therefore, he had to gather around him at least 20 tax-payers. After a headman had been recognized, the more villagers he could attract the higher his annuity. This situation is one with which the Yao headmen were long familiar. It is indeed the same process that went on before the Whites came, and that was outlined so clearly by Duff MacDonald, except that it is now cast in slightly different form. In consonance with the new money economy, superior status, marked by more dependants, brings a higher financial reward. But it would be false to imagine that the prospect of financial gain is the only spur to a village headman's attempts to enlarge his following. A headman of a large village as such, is still a 'big' village headman.

622 643 554 648 A headman who has sufficient followers to enable him to press a claim for a 'book' goes to the chief for it. The chief considers the merits of the case, but is unwilling to grant too many 'books' in his area. If he supports the claim the matter is referred to the District Commissioner, who considers the application, not in terms of the indigenous struggle for rank, but in terms of general Administrative considerations, such as finance,

[1] A definite rate of remuneration was fixed in 1918: it was computed at 10*s.* for every 300 taxes. See Murray, *Handbook*, 142. Under the 1933 Ordinance the remuneration was fixed at 4*d.* per Government tax of 6*s.* to a village headman and 2*d.* per 6*s.* to a Native Authority. *Report on Native Affairs for the Year Ended 31st December 1933*, Government Printer (Zomba, 1934), p. 5.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

and the ease of administering groups with centralized authority. If he agrees, the necessary alteration is made in the tax-registers, and the new Administrative headman is paid his annuity and is called up by the District Commissioner whenever he holds a meeting. To the District Commissioner the chiefdom is made up of the villages on the tax-register, and in a situation of political importance he calls on the headmen of those villages for decisions. For example, when a chief was being installed, the District Commissioner called each Administrative headman forward and asked him whether he agreed to the succession. When the District Commissioner wishes to discuss any matter with a villager he calls forward the Administrative headman. The position of village headmen in the political structure becomes more effective after they have been recognized by Government.

I have no accurate measure of the proportion of all village headmen who are recognized by Government. From my records the percentage of Administrative village headmen out of the total of recognized village headmen is :

	No. Admin. Villages	% of Total recognized
Kawinga	160	84
Liwonde	104	71
Mposa	30	48
Chikweo	48	43
Ngokwe	21	40
Chamba	61	39

I have full records for the smaller chiefdoms, Mposa, Chikweo, Ngokwe and Chamba, but I know for certain that the figures for Kawinga and Liwonde are incomplete. My fullest and most reliable records are for Ngokwe and Chikweo, so that we may estimate roughly that less than half of the village headmen are Administrative village headmen.

Naturally the village headman, whose taxable population will be reduced by the granting of a new ' book ', opposes this in the same way as his ancestor opposed the emigration of his village members in pre-White days. In 1947, in Jalasi's area for example, there was an argument hinging on this.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

622 554 691 Mlima was a village headman of long standing and had been recognized as an Administrative headman. Ngwaya was a headman who had come to settle under Mlima.[1] After some years Ngwaya felt that because he had his own village he should be given a 'book' and receive money from the Government. Mlima however resisted the claim, saying that his 'book' had been given to him by Jalasi. Both went to Jalasi's court so that the difference could be resolved. Jalasi rejected Ngwaya's claim and upbraided him for being recalcitrant. Ngwaya was fined 9s. and ordered to pay £1 to Mlima in compensation.

622 554 643 691 A rather more complex case brings out the position of the chief, the Administration and the conflict of the prestige-giving principles of historical primacy and White recognition.

In 1948, an Administrative village headman, Kalonga, from Nyambi's area, decided to migrate down to the more fertile land along the banks of the Shire River. This land was in Jalasi's area, and it was partially occupied by a minor village headman called Malilo. Kalonga had already selected his site for the village when Malilo came up to him and told him that he was the first in that area and that Kalonga should have asked him to indicate a building site. Kalonga, on the other hand, pointed out that he was an Administrative headman and that Malilo was not, and there the matter rested. In time Kalonga, because of his official position, became better known than Malilo. Malilo was jealous of this prestige and in due course went to Jalasi and complained that Kalonga was 'getting too big for his boots'[2] and that he was only a Newcomer into that area. Jalasi sent for Kalonga.

At the dispute in front of the chief, Malilo reiterated his complaint. Kalonga merely pointed out that Malilo was jealous of his 'book'. Jalasi dismissed the case reminding the two headmen that it was he who was chief of the country. Shortly after this, Kalonga went to Jalasi alone and told him that Malilo had told him that he, Jalasi, was no chief because he should have taken the 'book' and given it to Malilo. Jalasi said, 'It is impossible to change over the "books" which are written by the Whites', and then sent a messenger to bring Malilo to court. When he came he denied the tale and said that as far as he knew the only reason for Kalonga's animosity could be that he had refused to give him the *subaye* greeting. Jalasi informed both headmen that they were to be independent of each other. Malilo

[1] *Kwakulipatika*—lit. one who had made himself a slave.

[2] *Kulikwezya*—reflexive causative of the verb *kukwela*, to climb, i.e. to cause oneself to climb or to exalt one's status.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

was to report strangers coming into his village area independently of Kalonga. Nowadays, there is much tension between the two headmen and they summon each other to court on the slightest pretext. The peace is kept only by order of Jalasi. On the whole, however, it is Kalonga who has the higher status and superior prestige.

Unfortunately I have no figures to show how large a village becomes before its headman applies for Government recognition. The average number of tax-payers under village headmen who have just been granted 'books' might have provided this information, but I was unable to collect it. Formerly, they could become Administrative headmen only if they had more than 20 tax-payers under them. Nowadays, however, owing to differential fertility and the reduction in size of villages because of internal dissension, many of the Administrative villages (22 per cent) are smaller than the 20 tax-payer limit. They, however, retain their 'books'. I know that often within the Administrative villages of important headmen or chiefs, there are contained some minor villages bigger than some Administrative villages which are farther away. For example, in Chiwalo's own Administrative village, I know that the villages of Selemani, Ali Kasoka and Ntapasia are larger than many Administrative villages. It is not only the size of the village which allows a headman to apply for a 'book'. It is his relative status in the community. Men of higher rank than Selemani, Ali Kasoka and Ntapasia could probably approach Chiwalo and ask him for a 'book'. But these three are Newcomers. Selemani was a refugee from the Portuguese wars and went to live in Mlumbe area in Zomba district. He came to Chiwalo's area in about 1930. Ali Kasoka moved in about 1940. Ntapasia came about 1921. But they dare not approach Chiwalo himself to ask for a 'book'. Here Chiwalo's rôle of chief is compounded with his rôle of Administrative village headman so that they would be asking Chiwalo voluntarily to reduce the size of his Administrative village. It is only when their villages become conspicuously large that headmen may begin to force the chief's hand. They have always one sanction they can bring to bear on the chief—they can threaten to move out of his area into another chiefdom. The chief may not retain any of his subjects by force. If they express a wish to live in another chiefdom he cannot stop them. On the other hand, useful as this weapon

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

is when it is used by an Administrative village headman, as I shall illustrate later, it will not serve a minor village headman much to move out of one chiefdom to another if his object is to become recognized as an Administrative village headman. If he goes to another chiefdom he is automatically regarded as one of the most junior of the headmen. If he goes to another chiefdom as an Administrative village headman already, he takes with him his 'book' and to some extent the rank associated with it.

The size of Administrative villages as measured by the number of tax-payers in them is about equal in all three categories of village headmen. Table X sets out the distribution. The

TABLE X

DISTRIBUTION BY SIZE OF VILLAGES UNDER ABORIGINAL, INVADER AND NEWCOMER ADMINISTRATIVE HEADMEN

Tax-payers	Totals			Total	Percentages			Total
	Aborigines*	Invaders	Newcomers†		Aborigines	Invaders	Newcomers	
0–19	6	29	56	91	30·0	21·3	22·0	22·2
20–39	7	49	85	141	35·0	36·0	33·5	34·4
40–59	2	25	57	84	10·0	18·4	22·4	20·5
60–79	3	16	29	48	15·0	11·8	11·4	11·7
80–99	1	1	13	15	5·0	0·7	5·1	3·7
100–119	1	6	4	11	5·0	4·4	1·6	2·7
120–139	—	4	4	8	—	2·9	1·6	2·0
140–159	—	1	1	2	—	0·7	0·4	0·5
160–179	—	1	1	2	—	0·7	0·4	0·5
180–199	—	1	1	2	—	0·7	0·4	0·5
200–249	—	3	—	3	—	2·2	—	0·7
250–300	—	—	3	3	—	—	1·2	0·7
Totals .	20	136	354	410‡	100·0	99·8	100·0	100·1
Mean .	39·0	48·5	45·1	45·9				
S.E. .	8·7	4·2	2·8	2·2				

* Excludes one village whose size was unknown.
† Excludes 3 villages whose sizes were unknown.
‡ The total excludes an additional 10 villages for which full details were not recorded.

Administrative villages of the Aborigines, mostly Nyanja, appear to be rather smaller than those of the Invaders and Newcomers.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

TABLE XVIIb

INITIATION RIGHTS AMONG INVADER AND NEWCOMER HEADMEN WHO HAVE VILLAGES WITH MORE AND LESS THAN 60 TAX-PAYERS

(Arranged to hold the influence of village size fixed)

Type of Headman	Over 60		Under 60		Total
	Init.	No Init.	Init.	No Init.	
Invaders . .	14 (11·8)	9 (7·6)	21 (17·6)	75 (63·0)	119 (100·0)
Newcomers .	27 (10·8)	26 (10·4)	27 (10·8)	170 (68·0)	250 (100·0)
Total . .	41 (11·1)	35 (9·5)	48 (13·0)	245 (66·4)	369 (100·0)

$n = 3$; $\chi^2 = 3{\cdot}96$; $p = 0{\cdot}26667$.

Among all headmen (Table XVIIa):

29 of 31 headmen who hold both initiation rights have villages with more than 60 tax-payers . . . . . = 61·3%

7 of 16 headmen who hold only the boys' initiation rights have villages with more than 60 tax-payers . . . . . = 43·7%

15 of 42 headmen who hold only the girls' initiation rights have villages of more than 60 tax-payers . . . . . = 35·7%

35 of 280 headmen who hold no initiation rights have villages with more than 60 tax-payers . . . . . = 12·5%

When the influence of village-size is held constant the advantages of Invaders over Newcomers in the competition for initiation rights is discernible, but the differences are so small that they are of doubtful significance (Table XVIIb).

14 of 23 Invader headmen with villages over 60 tax-payers have initiation rights . . . . . = 60·9%

27 of 53 non-Invader headmen with villages over 60 tax-payers have initiation rights . . . . . = 50·9%

21 of 96 Invader headmen with villages less than 60 tax-payers have initiation rights . . . . . = 21·9%

27 of 197 non-Invader headmen with villages less than 60 tax-payers have initiation rights . . . . . = 13·7%

As we may anticipate, relationship with the chief is an important factor in the competition for initiation rights. Among the chief's direct and clan relatives for example, 36·4 per cent (51 of 140) hold initiation rights, but only 16·8 per cent (39 of

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

622
643
554
881

TABLE XVIII

INITIATION RIGHTS AMONGST INVADER AND NEWCOMER HEADMEN WHO ARE RELATED AND UNRELATED TO THE CHIEF

Type of Initiation Holder	Invader				Newcomer				Total
	D	C	N	T	D	C	N	T	
Both init. rights .	5	8	4	17	2	3	9	14	31
Boys' init. rights only	2	2	2	6	1	1	8	10	16
Girls' init. rights only	5	5	2	12	5	12	14	31	43
No init. rights . .	26	25	33	84	13	25	160	198	282
Total	38	40	41	119	21	41	191	253	372
% Init. holders .	31·6	40·0	24·2	29·4	38·1	39·0	19·4	21·7	24·2

D = Direct relatives; C = Clan relatives; N = Non-relatives; T = Sub-totals.

Combining Invader and Newcomer totals.

$n = 6$; $\chi^2 = 22{\cdot}24$; $p = 0{\cdot}00112$.

232) of his non-relatives hold them [1] (Table XVIII). There is a slightly greater proportion of the clan relatives holding initiation rights than direct kinsmen, but the difference is insignificant.[2] Slightly more of the chief's relatives among the Newcomers hold initiation rights than those among the Invaders,[3] but once again the difference is so small that it might easily have arisen by chance. A much greater proportion of Invaders is related to the chief than of Newcomers,[4] so that among the Invaders the relative advantage of their kinship with the chief, as against the unrelated, is somewhat reduced. There are very many Invaders who can claim kinship with the chief in their struggle for initiation rights. Among the Newcomers, conversely, because there

[1] Diff. of per cent = 19·6; S.E. of diff. = 4·58; C.R. = 4·28; $p = 0{\cdot}00002$.

[2] Direct relatives (20 of 59) = 33·9 per cent; Clan relatives (31 of 81) = 38·2 per cent; Diff. of per cent = 4·3; S.E. of diff. = 8·2; C.R. = 0·52; $p = 0{\cdot}6030$.

[3] Newcomers (24 of 62) = 38·7 per cent; Invaders (27 of 78) = 34·6 per cent; Diff. of per cent = 4·1; S.E. of diff. = 8·2; C.R. = 0·5; $p = 0{\cdot}6170$.

[4] Excluding those entitled to wear the scarlet headband. Invaders (78 of 119) = 65·6 per cent; Newcomers (62 of 253) = 24·5 per cent.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

622
643
554
881

are so few of the chief's kinsmen among them, to be related to the chief is a distinct advantage in this struggle.

I recorded the origin of the initiation rights of only 38 of the 55 Newcomer headmen who hold these, excluding those who also have the right to wear the scarlet headband. Table XIX sets out these data. We cannot put too much reliance on these

TABLE XIX

THE ORIGIN OF INITIATION RIGHTS OF SOME NEWCOMER HEADMEN

Type of Initiation Right	Given by Chief of present residential chieftaincy	Brought from elsewhere	Total	% Brought in
Both init. rights . .	8	5	13	38
Boys' init. rights only .	9	0	9	0
Girls' init. rights only .	15	1	16	6
Total	32	6	38	16

figures because they cover only about three-quarters of the village headmen in this category, and these, moreover, were not randomly selected. As they stand, the figures support my earlier conclusion that Newcomers are more likely to obtain rights for only one initiation ceremony, than for both together. While 38·5 per cent (5 of 13) of the village headmen who hold both initiation ceremonies had brought in their rights with them from outside, only 4·0 per cent (1 of 25) of those who hold only one of the rights had done so.[1] An analysis of the periods when headmen were given their rights reveals consistent results.

From Table XX we see that:

Of 11 Invaders who hold rights to both initiation ceremonies, recent chiefs granted 3 . . . . . = 27·3%

Of 8 Newcomers who hold rights to both initiation ceremonies, recent chiefs granted 2 . . . . . = 25·0%

Of 12 Invaders who hold rights to only one of the initiation ceremonies, recent chiefs granted 3 . . . . . = 25·0%

Of 24 Newcomers who hold rights to only one of the initiation ceremonies, recent chiefs granted 14 . . . . . = 58·3%

[1] Diff. of per cent = 34·5; S.E. of diff. = 12·47; C.R. = 2·77; $p = 0{\cdot}0056$.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

TABLE XX

WHEN INITIATION RIGHTS WERE GRANTED TO NEWCOMERS AND INVADERS

Type of Initiation Right	By early Chiefs		By recent Chiefs*		Total
	Invaders	Newcomers	Invaders	Newcomers	
Both init. . .	8	6	3	2	19
One init. only .	9	10	3	14	36
Total . . .	17	16	6	16	55

* This is obviously a crude classification. I have taken roughly 35 years as the dividing line. As the early chiefs I have classified all the Kawingas before and including Kawinga V who died in 1913; all the Liwondes before and including Liwonde III who died in 1921; all the Ngokwes before and including Ngokwe IV who died in 1905; all the Mpoua before and including Mpoua II who died in 1913; and all the Chikweos before and including Chikweo II who died in 1914.

In other words, recent chiefs have been granting single initiation rights to Invaders in the same proportion as they have been granting both rights, but they have been granting Newcomer headmen the right to hold only one ceremony more often than the right to hold both. Of the six sets of rights to initiation ceremonies granted by recent chiefs to Invader headmen, three were rights to hold only one ceremony, while 14 of the 16 initiation rights granted to Newcomer headmen were for one ceremony only.[1]

Headmen do not make use of their bonds of common religion or tribe with the chief in their competition for initiation rights. Table XXI sets out the numbers of headmen of different religion. There is a substantially smaller proportion of Pagan headmen (9·7 per cent) holding initiation ceremonies than either Christians (25·5 per cent) or Moslems (24·4 per cent).[2] Most Pagans, however, are also Newcomers so that this difference is actually a reflex of the generally lower rank of Newcomers. Table XXII sets out the number of headmen of the chief's tribe and of other

[1] i.e. 50·0 per cent against 87·5 per cent; diff. of per cent = 37·5; S.E. of diff. = 20·08; C.R. = 1·87; $p = 0{\cdot}0614$.

[2] Pagans = 9·7 per cent; Others 24·6 per cent; diff of per cent = 14·9; S.E. of diff. = 7·94; C.R. = 1·88; $p = 0{\cdot}0603$.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

headmen is higher than among the Aborigines or the Newcomers. It also shows quite clearly that the chief's direct relatives hold more of the privileges associated with rank than his clan relatives do, and they in turn hold more than his non-relatives.

The Political Process as a Struggle of Headmen Against the Chief

Modern chiefdoms appear to be organized on essentially the same principles as those described by Duff MacDonald. A chiefdom is headed by a chief and under him his subjects are organized in villages. Each village is represented by a headman, who stands in a relationship to the chief and to other village headmen, according to the prestige of the group he represents. This prestige is determined partly by his historical association with the chief in his past military exploits, partly by the size of his village, and partly by the prestige he has had in other areas. These elements were significant in Yao polity before the advent of the Whites, as we have seen from Duff MacDonald's description. Village headmen then were continually involved in a struggle for power among themselves and against the chief.[1] The struggle for power among village headmen continues to-day though in a changed context. Military power is no longer the object of the competition between them: the struggle for followers has become transmuted into a struggle for tax-payers. In harmony with the new political and economic situation a successful headman is not rewarded by military superiority, but by Government recognition and an official emolument.

At the same time, the chief whose power in the pre-White days resided in his armed forces, nowadays draws on the power of the White Administration to exercise his authority over his village headmen. His position is strengthened by Government decree and he does not hesitate to threaten to use it if necessary. Although the prestige of chiefs is higher than that of any of the village headmen, the difference in prestige between any chief and his most important headman is not very great. They are treated with almost the same deference by the minor village headmen and commoners, and they are referred to by the same term (*mwenye* — chief). The chief or an important village headman

[1] See Chap. II, p. 34.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

The chief or an important village headman

[60] is usually addressed by a kinship term, either *baba* (father) or
643 *ambuje* (master or grandparent). When he is referred to, his
622 name is not used. Village headmen are owners or wardens of
554 villages (*asyene misi*) but only those headmen of some standing
178 are referred to as *mwenye*.

Important village headmen, like the chief, are in mystical
643 danger from pollution by death. They cannot come to the hut in
622 which a corpse is lying ; and they cannot eat the chicken which
554 has been brought to them by relatives of the deceased to announce
761 the death. Like the chief too, an important headman may be
buried in a tomb in his village and not in the graveyard.

But an important element in their relationship nowadays is
643 that the Administration will support the chief against a village
622 headman when it comes to a trial of strength, and that a headman
554 these days is precluded by modern conditions from setting up
578 chiefdoms as he did in the old days. Village headmen therefore
691 must struggle for power against their fellows and the chief within
the modern Administrative framework. Some attempts are
made to resist the power of the chief but these are rarely successful.
The dispute between Liwonde and Ndenda illustrates this.

Ndenda was an Nguru headman, who in 1947 had 284 tax-payers under him (Liwonde, the chief, had 186 in his village). Ndenda had come into Liwonde's area before the White invasion and had surrendered with his relative Mlelemba, to Liwonde. The second Liwonde had given him both initiation rights but, unlike his relative, he did not have the right to wear a scarlet headband.

In 1938 or thereabouts, Liwonde decided to move his village site from the Shire River to its present site about half-way up the Great Rift scarp. He sent two of his young men to look for a suitable site, and to plant some mango trees there when they had found one. Ndenda heard of this and sent one of his men to take Liwonde's men into custody. He took their hoes away and then told them to go back to tell the chief they were planting in his (Ndenda's) land. In due course Liwonde moved up to his new site, and asked Ndenda why he had taken the hoes away and whether he owned the country, i.e. was the chief. Ndenda now argued that Mlelemba's ancestors had been given the rights of chieftainship over this area and that the first Mlelemba in the area had given Liwonde some elephant tusks for these rights. Liwonde replied that the chief has a right to tusks and that many had given tusks to him but were not entitled for that reason to rights of chieftainship. Liwonde handled this situation by calling a meeting of the village headmen in the area. They assembled

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

643 622 554 578 691

and the claims of Ndenda were debated. The headmen supported Liwonde in his claim that the tusks were part of the chief's rights and that when Mlelemba had come he had come 'to get fire from the chief'. Liwonde then upbraided Ndenda for imagining that because he had so many followers he was a chief, and fined him 10s. for being insolent.

The struggle between Liwonde and Ndenda did not end however. Some years afterwards a man came to Liwonde and said that he wanted to live in his area. This man was a complete stranger and had no relatives there. Liwonde sent him to Ndenda's village. Later while living in the village, this man stole some cloth. He was arrested and Ndenda brought him to the chief saying that the chief was responsible for him. Liwonde told Ndenda that he was being insolent again and that the responsibility must rest with him because the man had married into his village. He ordered Ndenda to pay £1 to compensate the victims of the theft. This Ndenda did but in his view this was tantamount to being chased out of the chief's area. He therefore moved with his children across the boundary northwards into Jalasi's area, and told his unrelated villagers to follow him. They refused to leave Liwonde's area. He was helpless and could do nothing about it. He returned to Liwonde's area a broken man and died shortly afterwards. His eldest son took charge of the village affairs, but so far no successor has been found.

643 622 554 578

The struggle between Ndenda and Liwonde has some interesting features about it. The strength of the chief in his Government position is not as evident as it has been in other struggles, as, for example, between Jalasi and Kalonga, or between Chiwalo and Ntimbuka, in the cases I cited earlier.[1] It appears only indirectly. Ndenda did not appeal to the District Commissioner against the fine as he might have done if he had felt his position to be more secure. The case history also shows how Liwonde ranged his other important headmen, 47 per cent of whom were kinsmen or co-Invaders, around him against Ndenda who was neither. It shows also that Ndenda's reaction to what he felt to be an injustice, typically enough, was to emigrate and to try to injure the chief by reducing his followers. When this failed he was defeated and it was his downfall, for, like a chief, 'a headman without people is nothing'.[2]

[1] Pp. 86 and 96.

[2] *Mcilambo nga ngamakola Ŵandu ngawa mcilambo*: 'A chief who has no people is not a chief'—a saying frequently quoted to emphasize the dependence of the chief on his subjects.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

The Rôle of the Chief in Headman's Installation Ceremonies

The second significant aspect is the importance of the chief in the installation ceremony. In each ceremony the chief has to give his formal consent to the succession. Note that the chief is approached by one of the headman's relatives, so that at this level, in spite of Kawinga's statement,[1] the succession dispute is over and the heir is decided upon. The chief's formal consent, his formal fixing of the date of installation, his personal appearance or the appearance of his representative, and his giving of the gift, all serve to set his official seal on the installation and to recognize its political significance.

The chief recognizes the leader of the group, both in his actions and his words. He also sees in the headman his representative, as when Nyambi said, 'When you disobey the headman you disobey me,' or when Kawinga said, 'Nyenje, you are responsible to report to me any unusual thing which occurs in your village here.'

When a chief comes into a village it is the village headman who entertains him. I was told that if the headman or his representative were away, the chief would be given no hospitality at all, because the villagers only entertain him through their representative, the village headman. Though the chief himself may not frequently visit villages, his representatives are constantly coming and going on his errands. Where affairs of day-to-day administration of the chiefdom are concerned these representatives are usually the court messengers, who may be paid from Native Authority funds or from the chief's private funds. The chief's representative in his tribal capacity, however, is usually his *nduna*, but it may be practically any village headman whom the chief selects. For example, he may send his *nduna* or one of his satellites as his representative to a *mapeto*.[2] He sometimes sends his representative as a referee to divinations and to chicken poison-ordeals following accusations

[1] Kawinga had a say in Nyenje's succession because he was a clan-relative. I have evidence that some lobbying had been going on because the successor that Kawinga chose was not chosen by Kawinga's relatives.

[2] A meeting held shortly after a funeral to decide whether death has been caused by sorcery or is due to natural causes.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

643 of sorcery, but the representative takes no part in the proceedings
622 at all; he is outside them and is there merely to see that affairs are conducted fairly.

The Value Attached to the United Village

622 The third aspect, the dominant theme in all speeches, is
621 the emphasis on the position of the headman as a leader of a corporate group, and his duty to maintain its unity. The chief and the officiating headmen warn the successor about the possibility of conflict in the village. They advise him to settle differences at once lest these should lead to a split in the village.
[591] They also warn him that his wife's relationships with her sisters-in-law, living as she is, virilocally,[1] are a danger point and may lead to trouble. The danger from the 'husbands' who are members of other villages and whose loyalties do not lie directly with the new headman is made manifest to him. At Nyenje's ceremony the officiating headman remonstrated with Nyenje's sisters because some had left the village without giving him an opportunity to settle their differences. The frequent references to the danger of sorcery are also references to the fear of the breakdown of the village. The villagers are exhorted to respect the headman and to be obedient to him for the general welfare of the group as a whole. Regularly the image of the tree and its branches is invoked, and it is made clear that the headman is dependent on his people for his rank and status, and they on him for their unity.

621 The disintegration of a village in Yao eyes is a sad affair and
166 the disruptive forces in it must be very strong before a section leaves it. People who want to leave a village are usually remon-
627 strated with and told not to 'break' it. In the frequent conflicts between the headmen and their younger brothers the arbitrators usually try their utmost to prevent a migration. They always award compensation to the injured party and tell the disputants to live in peace, and not to leave the village. Frequently, however, the leader of the dissident group prefers to refuse the compensation money, which is often as much as £6 or £7, and

[1] i.e. living with her husband's kin. I use 'virilocal' and 'uxorilocal' in preference to the older but ambiguous terms 'patrilocal' and 'matrilocal'. See Richards, 'Some Types of Family Structure amongst the Central Bantu', 208–9.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

622 the children of Ncilaga (C5) and Bt. Mkwinda (C6). There
613 was a big difference in the ages of these two women. Ncilaga
561 died nearly 30 years ago but Bt. Mkwinda died in 1948. When Cikoja V (C1) died in 1936, Salimu II (D3), who was born in about 1914, was very much younger than the present Cikoja VI (E7), who was born about 1895. Ncilaga (C5) had no sons, nor had Atabiya (D1), her eldest daughter, so the succession passed to the only son of Amaliama (D2) who was the senior male in that generation. Salimu II, genealogically senior to the present Cikoja, is to be the next headman. He has married a 'cross-cousin' (his mother's mother's brother's daughter's daughter's daughter) and lives in the village. He has already taken over the affairs in one section of the village. The other section has moved out and built about half a mile away with the present Cikoja VI. Note that the junior house—i.e. the descendants of Citeleka (A2)—are completely out of the succession. Wegami's (E1) eldest son, Cilimba (F1), is living virilocally with Cikoja VI in his section of the village and is already opposed to the prospective village headman Salimu. He is likely to be the village headman after Salimu dies and may even push his claim when the present Cikoja VI dies, because Salimu has been accused of sorcery on several occasions.

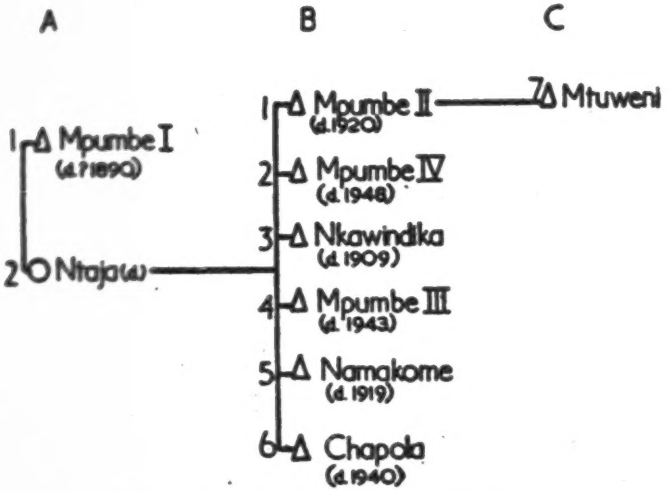
622 The conflict between sister's sons and mother's brothers at
578 successions has all but fallen away. The people oppose with some vigour the idea that a younger brother should succeed.
604 Frequently the chief or headman would rather his younger brother succeed, and sometimes indicates him as his successor. Kawinga, for example, has given his pre-succession name of Mlomba to his younger brother and many say this is tantamount to announcing Mlomba as the next Kawinga. This is violently repudiated by most people I have spoken to and they indicate a sister's son as the likely successor. Jalasi too, before he died in 1941, indicated Mbawa, his mother's younger sister's son as the successor, but when it came to the point a sister's son succeeded. The weight of custom is in favour of the sister's sons and usually the succession is fought out among uterine or collateral brothers in the first descending generation.

643 A matrilineal relative is always chosen to be chief in preference
662 to any other, but sometimes there is no heir. Other things being equal an unsuitable matrilineal relative will be chosen, or a

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

woman will take the position, before the name will be allowed to pass to a non-matrilineal relative. While a matrilineal relative holds it there is always the chance that a suitable matrilineal heir will be born to a woman of the matrilineage, and will be able to take over the name. In Katuli's area the principle of primogeniture is so strong, I was told that rather than let a succession pass to a junior house, a woman is appointed to ' keep the name '. This happened before the succession of the present Katuli. Nkolojele was the present Katuli's mother, and when his mother's brother died Katuli was too young to become the chief. Instead Nkolojele took the name to prevent it from going to a junior lineage and held it from 1920 to 1936. Nkolojele was thus appointed Principal Headman under the 1912 Ordinance. In 1936, she retired in favour of her son who then took the name Katuli and became chief.

The name is kept within the matrilineage if it is at all possible. The history of the succession of Mpumbe's name is instructive in this context.


A
B
C
1 Δ Mpumbe I (d. ? 1890)
2 ○ Ntaja (d.)
1 Δ Mpumbe II (d. 1920)
2 Δ Mpumbe IV (d. 1948)
3 Δ Nkawindika (d. 1909)
4 Δ Mpumbe III (d. 1943)
5 Δ Namakome (d. 1919)
6 Δ Chapola (d. 1940)
7 Δ Mtuweni

REFERENCE GENEALOGY. MPUMBE VILLAGE.

Mpumbe, it will be remembered,[1] came from Jalasi's area to Kawinga's after the White attack on Jalasi in Mangoche. The genealogical summary sets out the relevant data.

[1] See p. 59.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

621 this happens the husbands take their wives to their several villages with them.

Throughout this general process the links between groups of any particular area are constantly changing but the general pattern remains constant. A village expands outwards, and the various patrilaterally-linked groups, and often some of the segments of the dominant lineage, form hamlets separate from each other. The dominance of one of the local headmen over the others is still recognized and the general pattern of primacy is maintained. Some of the earliest villages in the area remain intact through many years. Villages which were small hamlets twenty or thirty years ago, when they had just moved into the area, have become relatively senior. Many headmen who were senior then have moved, or their villages have disintegrated, or ceased to exist. Other villages have moved in and are ranked lower. Thus through time the rank of any one headman may have changed, but the ranking system and the relationships of senior to junior headmen remain unaltered.

621 The general process is the same for the whole chiefdom,
622 though there is less overall structural change than in smaller
631 areas. The more important a village headman, the less likely is his village to disappear entirely. The most important village headmen, therefore, have long histories of association with the chief. Thus while there is considerable change going on at the lowest levels of the social system, the social structure of the whole chiefdom is remarkably stable. In other words, the rate of change taking place within the structure varies directly with the level of organization within that structure. The names of the *nduna* of Kawinga, Liwonde and Malemia are the same as those of the *nduna* who accompanied these chiefs into Nyasaland in the middle of the nineteenth century. Relatively few of them have disappeared. And so it is with important village headmen. The links between them, fixed by their rank and status relative to each other in perpetual kinship and other ties, form the political structure of the chiefdoms. From chiefdom to chiefdom the same pattern of organization is concealed behind an apparent diversity of actual links.

178 But, as a result of their contact with other peoples and their
622 absorption into the economic and administrative framework of
643 the British Empire, new social relationships are developing

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

amongst the Yao. The religious sanctions behind tribal initiation ceremonies were weakened when many of the village headmen adopted Islam, and the rights of holding the Islamic equivalents fell to commoners who were leading Moslems. Thus for many village headmen the significance of the holding of initiation rights fell away. The White Administration has introduced new political personalities into the field, such as the court clerk, the court sergeant and other members of the chief's bureaucracy. These persons have been able to acquire peculiar positions of power in competition with the chief's traditional advisers.[1] Some wealthy individuals are able to wear better clothes, build better houses, and have more personal attendants, than the chiefs. For example, there is a carpenter in Kawinga's area living near an Indian store,[2] who is wheeled about in a garetta (ricksha) as the chiefs are, and who dresses far better than any of the chiefs.

But these changes have not yet affected the pattern of social relationships appreciably. Up to the present as new elements were introduced into Yao social structure they have been absorbed in terms of the traditional structure. The traditional chiefs, therefore, became the Principal Headmen when White Administration was imposed on them. Village headmen, no longer able to compete with each other in terms of followers and slaves, now began to vie with each other for 'books'. Important village headmen became the Moslem leaders, and the larger mosques were built at their villages. The chiefs, by virtue of their annuity from the Government, are able to maintain a higher standard of living than most of their subjects: they build burnt-brick houses, they wear finer clothes, they are wheeled about in garettas or, latterly, are pillion passengers on bicycles pedalled by retainers. By using their annuities as capital, they have been able to grow more tobacco than most of their subjects and so still maintain economic ascendancy over them.

So that until 1949, at least, in spite of the introduction of

[1] cf. my 'The Political Organization of the Yao of Southern Nyasaland'.

[2] He does not live in a village as most people do; he is an Nguru, and has none of his relatives near him, which is significant. His relationships with his clients are formal and transitory and he is not bound by traditional kinship ties. He therefore attempts to achieve prestige through conspicuous expenditure.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

178 622 643 new personalities into Yao society, the social structure remained little altered. There were not enough Government officials, or officials in the chief's bureaucracy, or rich individuals in Yaoland to be able to represent significant elements in the social structure. In the years 1946–49 Yao social structure was still organized in terms of ranked lineage segments at one level, ranked matrilineal groups at a second, and ranked villages at a third.

3: Stannus D-5 (ca. 1912) 1922 FT7 Yao FT7

generous and popular, the donations may mount up to a useful sum. Dancing goes on late into the afternoon when all return to the village. 843

The man may not speak to his guardian again until after the birth of the child. The two women guardians, the *nakwesa* and the *nakenga*, as a rule cease sexual intercourse with their husbands during the same period or, at all events, during the last month before the birth of the child.

The child born of a woman who has not gone through *Litiwo* is buried alive. [847]

Chieftainship. The Yao when they migrated to their present country were headed by a number of their chiefs. These eventually settled in different areas adjacent to one another, each ruling over a considerable tract of country. The chief was supported by a number of headmen, each of whom looked after a village; the chiefs and headmen in turn being assisted by the village elders. 622 643

Often among a chief's counselors one found a number of his relatives, and sons and brothers were often made headmen. A man assuming chieftainship often had to dispose of a brother of whom he was afraid. 643

Chieftainship is hereditary, the chief's name being passed on to each successor. Succession is to eldest son of the eldest sister or a son of some other sister. Failing these, it passes to a grand-nephew. If there is no acceptable adult nephew, a full brother may succeed.

Macdonald's account of the Malemya's succession[1] is, I believe, incorrect. The old Malemya (Nalutumbo) was succeeded according to custom by his nephew, Kasabola who, as Malemya, was called Ndalama. Kumtaja was not a younger brother of Nalutumbo or Kasabola, but a cousin of the latter. Ndalama was succeeded by a nephew, not the eldest but the second son of a sister, the eldest having already succeeded to the chieftainship of Kumtaja was therefore ineligible. The present Malemya will be succeeded by a grand-nephew, the son of a daughter of his eldest sister, his sister having no sons. [114]

A successor inherited all the wives and slaves of the deceased chief and all his goods and chattels, guns, ivory and gardens. Any small possessions might be divided among the deceased's children and in the case of guns, those who had always used them often laid claims not to be separated from their weapons; these claims were often allowed by the new chief. 643 428

In the same way, any ordinary man's successor is his nephew, the son of a sister, who inherits all goods and chattels and slave wives, but not free-born wives, nor gardens, which go to the free wives. Stock is generally divided among the children.

Before 1891, when a British Protectorate was formally declared over Nyasaland, each chief ruled supreme. He was consulted as to the dates for *Unyago;* he directed the harvesting, etc.; he proclaimed war and generally was paramount among his people. It will be seen, therefore, that he was a busy man, but he received no direct remuneration. His wealth consisted of slaves and ivory. Slaves he obtained in warfare and as blood money, 643 [554]

[1] Op. cit., vol. 1, p. 100.

3: Stanmus D-5 (ca. 1912) 1922 FT7 Yao FT7

643 ivory by his own hunting parties or as a kind of tithe on other hunting expeditions. The ground tusk, i.e. the tusk on the side on which the elephant falls when killed, was the chief's share. In the same way, the hind leg on the ground side of any game animal killed was sent to the chief. He took a share of the spoils of war and most of his people yearly gave him either service in building houses, etc., or kind in the form of food-stuffs, but he enforced no service and levied no tax, except for the making of a new burial place.[1] New settlers in his village were expected to invite him to drink beer made with their first crops.

In return, he always provided cloth to invest the body of the dead. He also made presents at the time of *Unyago*.[2]

A chief's life, therefore, may not be "all beer and skittles," though he consumes a good deal of the former and a kind of skittles[3] was a favorite pastime of one of the Malemyas. A saying embodying this idea was used when pleading for a man who had [538] committed adultery with his chief's wife "one who carries a tortoise (on a string over his back) is likely to get his clothes soiled"; a man has to put up with the troubles his belongings bring him. So a chief must bear with his own people who do wrong.

643 Ample opportunity for exercising such forbearance was provided, since the chief was 692 formerly the adjudicator of all disputes and dispenser of justice in all crimes. The headman did the same in a smaller way but appeal could always be made to the chief. Cases were heard by the chief sitting in council. He and his headmen and elders would assemble in the village open space and here cases were stated, often at great length.

Each party to the case would employ some man well known for his powers of oratory as leading counsel. The speaker for the plaintiff would start proceedings by a recital of all the evidence he could collect. After him would follow innumerable speakers, whether actual witnesses or not, each telling as good a story as he could, and the defendant's case would then be put by his representatives. There was no cross-examination but at the end, a summary was made and judgment given. A chief often took the advice of some one of his old men whom he trusted.[4] The chief received no payment for his services, except in the case of murder; neither did the "counsel" receive anything for their efforts.

674 **Crimes.** Causing the death of a person by witch medicine, *usuwi*, was the most heinous [754] crime; a *mwavi* ordeal might be held, but if the offense was proved, burning was the punishment which usually followed.

[684] The offense second in gravity was adultery. This might be expiated by payment or by death, according to the circumstances under which it occurred; mutilation was often [694] performed in the case of a chief's wife. All death sentences with the exception of those

[1] *Vide supra*, p. 244. [2] *Vide supra*, pp. 248, 264. [3] *Vide infra*, p. 380.

[4] The old Malemya (Hahuttumbo) has some very fine men among his counselors. Kumtupa and Chiupila, the latter renowned for his oratory, were his chief advisers in legal matters. Ndakika, a slave, was his mentor in all personal and family affairs, while Chekusungu was in charge of all ceremonies and served with his assistant, Mpanje, as high priest on all occasions of intercession. Others acted as his emissaries, such as Mkapiti who always went on any mission to the Angoni, among whom he was known as Ndunjira.

567 **Slavery.** Slaves were acquired by capture or purchase, or were received as payment. Prisoners taken by the vassals of one chief in a fight with the partisans of another chief became slaves. Slave raids were also made by the Wayao upon the weaker Anyanja or again expeditions were sent out hundreds of miles away into the Chipeta country to buy slaves.

[428] Slaves were a man's goods and chattels, to do with mainly as he pleased, but no man might kill a slave without bringing the case before his chief and obtaining consent. While some were bought and sold and sometimes found their way into a slave caravan bound for the coast, many, perhaps the majority, lived the life of ordinary individuals in the villages. A man who was unhappy in a village and wished to escape from his vassaldom might run away to another village and there commit some act so that he might be claimed as a slave. The custom was to go to the village and sit by the site of a house which had been pulled down after the death of the occupant, and the saying is, "He has been called by the dead man's spirit."

[554] Many a slave has become an important man in the village and slaves were often the trusted advisers of their chiefs, but there was no means of becoming a freeman. Neither a slave himself nor a second party could purchase his freedom. A slave capturing another man in warfare, for instance, could not ask for his own freedom in exchange for his captive, but anyone so taken became, in a way, the slave of a slave, and the master could not sell the second slave without the permission of the slave captor. An old slave might often be allowed to do just as he pleased and to all intents and purposes was a free man, but he was never actually freed. A slave might earn a return for work done for others than his master; part of this he would probably give to his master, but there was no regular tax upon such earnings.

The idea in accumulating slaves seems to have been to increase the population of the villages and hence their power and progeny. This is borne out by the fact that marriage [582] between free men and slaves was allowed. Marriage between a free man and a slave woman was unaccompanied by any ceremony and was therefore rather in the nature of recognised concubinage. Such a wife, if unsatisfactory, could be sold out of the village, but generally she was well treated. The children of two slaves were of course born into slavery; the children of a slave woman by a freeman husband, were not quite emancipated, as the father could not remove the child from the village of the slave mother's master, and in very extreme cases, it might be sold by him.

Women might marry slave husbands and often a master married his daughters to his slave men whom he thought well of. This amounted to a guarantee to the slave that he [421] would never be parted with. A woman with a slave husband could not leave him informally; she could not sell him, inasmuch as women have no property.

● 613 423 **Land Ownership.** The ownership of all land was vested in the chief, but he appeared to hold it in surety for all the people over which he ruled. Headmen had no land rights.

B:Mitchell E-5 (1946-1947) 1949
FT7 Tao FT7

[P.142A]

II. THE POLITICAL STRUCTURE Before The Whites Came

173
643
167

It is difficult to picture what the political organization of the Yao was like before the Whites came into the area, but informants—especially the old men—do describe the conditions that existed in the early days, and in addition to this, there are some useful reports in Duff Macdonald's book[1] which was written before European influence was strongly felt.

Informants describe the movements of the Yao into Nyasaland in terms of small family groups under the leadership of a male matrilineal relative.[2] These leaders bear the same names as certain of the village headmen to-day, and the present village headmen claim to be their matrilineal descendants. Among the kin-group leaders were such outstanding personalities as Kawinga, Liwonde and Nkata.[3] These men were military and commercial leaders and much of their prestige derived from their prowess in trade and war, pursuits which in those days were intimately interdependent. People nowadays describe the chiefs as possessing many slaves, guns and gunpowder and having great "strength". In the history of the chiefs Nkata, Liwonde and Kawinga the pattern of conquest is similar. A group of village headmen under each chief moved into Nyasaland to settle either by treaty as Nkata who settled with a clan-relative among the indigenous Nyanja, or by direct conquest as Kawinga. After settling down they started sending out forces to subdue local chiefs until the boundary of the territory of some other powerful chief, usually another Yao, was reached. When this happened a definite territory was agreed upon by the two chiefs. Within this territory the population was increased by immigration from other areas or by slavery. Village headmen moved from a less to a more powerful chief because of the security he offered them. They were said to "seize the leg"

[P. 142B] FT7 Yao FT7

II. The Political Structure BEFORE THE WHITES CAME

173 643 167 (*kuhamula lukongolo*), i.e. to surrender to the chief in the area. Also the chief sent out expeditions to capture slaves or he purchased slaves with the cloth and beads he had exchanged for ivory at the East coast.

643 421 Within his territory certain privileges and rights were held by the chief and he had certain religious duties to perform in which the unity of the people in the territory was expressed. In general the chief had rights over any ivory either found or hunted in his territory. If a dead elephant were found the tusks belonged to the chief, though he usually rewarded the finder with cloth. [224] If a man killed an elephant the tusk that lay on the ground belonged to the chief while the other belonged to the killer. The killer's tusk was [439] included in the chief's caravan to the coast and its value paid in cloth to the killer when the caravan returned.

643 657 The chief was also entitled to an annual tribute of food and beer from all villages in his area, but this was used to entertain visitors who came to the court-village.

643 782 The chief's religious duties lay mainly in propitiating the spirits of his ancestors on occasions when the community at large, in contrast to the chief's own private affairs, was either threatened or directly affected. The most obvious occasion was immediately before the rains came when flour was poured on the tree shrine and the spirits of the ancestors asked for good rains. Later when the rains were over a similar sacrifice was made asking for a good harvest. Sacrifices to the ancestors were also made on two other public occasions. They were made when some calamity had occurred or was believed to be impending. A run of unsuccessful campaigns induced Cingwalugwalu, a son of the Yao chief Mponda near Fort Johnston, to ask his father's father's brother to make sacri-

8:Mitchell E-5 (1946-1947) 1949 FT7 Yao FT7

[P. 142C]

173
643
[93]

[1] Duff MacDonald, *Africana or the Heart of Heathen Africa*, (London: 1882).

[2] The matrilineal male leader is called *mpeme mbumba* (=father of the ancestry group) the village headman *mpeme mwai* (=father of the village) and the chief *mpeme dilonda* (=father of the land). The word *mpeme* could be translated as *mpeme lua mu mu* p. 194. Important headmen and chiefs are both referred to by the term *mbumpe*.

[3] The honorific *Ce* is dropped from all Yao proper names mentioned in this paper.

B.Mitchell E-5 (1966-1967) 1969
[P 143A] FT? Tao FT?

643 T82

fice to the ancestors. The other public occasion was at initiation ceremonies. A successful initiation, i.e. one in which the initiates were not beset by misfortune, depended upon the goodwill of the ancestors of the chief. Initiates therefore gathered at the chief's court-village before the initiation, when the sanction of the spirits was asked and the initiates severally blessed. After this they scattered to the bush-schools near their villages only to return when initiation was completed and the chief received them into tribal society.

643 769

The people who had submitted themselves, willingly or unwillingly, to the rule of a chief, in turn expected certain services from him. He provided them, as we saw, with mystical protection through his ancestors. On a more pragmatic plane he was able to arm and co-ordinate military forces thereby giving his people protection from attack. Within his area of rule he was a common person of final appeal in the regulation of relationships of his subjects.

In these various ways, by propitiating his ancestor's spirits on behalf of his subjects, by settling differences between subjects, by co-ordinating defence and in fact by being a unique personality in the area, the chief became the symbol of unity of his tribal group. The symbolism was clearly noticeable on the death of a chief when a short period of social disorganisation called *cipisinde* followed. The members of the chief's village were allowed to pillage and to commit rape and other criminal acts without suffering legal action. The demise of the symbol of unity was followed by a period of disunity before the appointment of successor restored the status quo.

622 [769]

At the same time much of what has been said about the chief was true also of important village headmen. Village headmen also made sacrifices to their ancestors but only in domestic or village affairs. They too built up their prestige by slaving. Many villages in Southern Nyasaland to-day

622 are composed of the descendants of slave-wives
of village headmen in days past. Like the village
643 headmen the chief was considered to be in danger
622 from contact with death. He could not attend
761 the funeral of commoners, he could not eat the
chicken which was brought to him at the announce-
ment of the death of a commoner (for a village
[753] headmen) or subject (of a chief). Should he do so
he would suffer from a disease called *ndaka*. Also
village headmen, like the chief were supposed to be
well versed in medicine and were regarded with
some awe on this account. The chief and the
village headmen were distinguished from the
commoners in these ways.

643 But, the chief himself was a village headman.
622 He had to administer the affairs of his family
692 group and slaves as had other village headmen.
He was involved in the struggle for power going
on around him because he was not lifted above
these secular struggles as was, for example,
the Zulu King.[1] Duff MacDonald records for
example: "In a dispute between the inhabitants
of different villages, the respective headmen
represent their own subjects, and the chief is
appealed to. All his decisions are final. Still
the chief may otherwise have less influence
than a powerful headman, and we have known
cases where he simply contented himself with
grumbling when his headman acted contrary
to his desire; and in many criminal trials he is
eclipsed by the sorcerers and pounders of poison."[2]
643 Again MacDonald records how the chief tried
622 to entice subjects away from a village headman
at a trial by pointing out that the village headman
had a poor character and was unsuitable to look
after people.[3] While there seems to have been
some evidence that a number of village headmen
under a chief acted jointly in the face of a common
danger, but apparently with no powerful mili-
tary organization. Village headmen seem to have
been almost entirely autonomous in their actions,
slave-raiding on their own, even raiding villages
who paid tribute to the same chief as they did.

8:Mitchell E-5 (1946-1947) 1949 FT7 Yao FT7
[P.143C]

643
G22

[1] See Max Gluckman, "The Kingdom of the Zulu of South Africa" in M. Fortes and E. E. Evans-Pritchard ed., *African Political Systems*, (London: Oxford University Press, 1940), p. 28 *et seq.* The Zulu king had no immediate subjects but commanded the military regiments about him so that he could use these to destroy his rivals.

[2] Drew MacDonald (1892), Vol. I, p. 111.

643 622 578 There is little doubt that village headmen did wax in power and finally break away to form the nucleus of a chiefdom of their own. The chief that a headman had left could do little to regain his lost subject and he had to rule not by tyranny but by tact. Duff MacDonald, for instance, records: "When a quarrel arises between the chief of the country and an important headman the latter may rebel and found a new kingdom, thus depriving the old chief perhaps of one-third of the villages in his dominion".[1] Nkanda is an example. "Nkanda of Cherasulo was at first a headmen of Kumpama's but rebelled and lives on the Southern side of that mountain an easy day's march from Blantyre."[2]

643 The leader was known, and is still known to-day, by the term *anyene cilambo*. This might be translated as "owner of the country" but the term "owner" in this context would be a mis-translation. I prefer to translate this phrase as: "The person with whom a certain area is identified".[3] Hence when a man says, as the Yao do: "I come from Kawinga's", he does not mean that the land is owned by Kawinga, but that Kawinga is the most important man in that area.

645 631 692 622 Among the village headmen in the area under a particular leader there were a number of trusted village headmen called *nduna*, which term I have translated as "councillors". These councillors had special duties to perform. They were in the nature of governors in outer areas and each had a number of other villages under his jurisdiction. By this I mean that these villages were supposed to take certain cases for trial to him and to approach the leader through him. The councillors were supposed to visit the village of the chief each morning and to report anything untoward. The councillors also had the important duty of advising the chief, particularly in connexion with raiding of neighbouring tribes. Councillors also arbitrated in the domestic affairs of the chief and in the all too frequent conflicts between the Chief, his sisters sons and his younger brothers.

088 chief, his sister's sons and his younger brothers.

693 Besides the councillors, there were a number of officials known as **mapanga** (sing. *lipanga*), which term I translate as court assessor. These officials have often been confused with the councillors, though they were a completely different set of officials. They were not necessarily village headmen though councillors were always so. Also the position of the court assessors, unlike that of the councillors, was not hereditary. Court assessors were chosen because of their wisdom and debating ability and often slaves were appointed. Councillors were chosen because of their general status in the community and once chosen tended to be succeeded by the heir, who for all intents and purposes, socially replaced his predecessor. The court assessors lived at the court of the chief and they were the correct channel of approach to him. No one could approach the chief without at first approaching a court assessor and reporting his business. The assessor's more important duty, however, was the sifting of evidence in cases in which the chief was arbitrating. The court assessor then recounted this evidence to the chief who delivered his opinion and awarded compensation.

643 554 In general the picture that we have of the political organization of the Yao before the Whites came, is that of a number of leaders of kinship groups, who by acquiring sufficient dependants and slaves were able to maintain a certain level of power. Certain groups of them were under the power of more influential leaders (the chiefs) who usually had sufficient resources to send trading caravans down to the coast, which in turn maintained his power over his neighbours. In this loose political organization the importance of being able to control dependants was cardinal and the adage "a chief without people is nothing" (**mcilambo nage ngonakola ilamda, ngonatwa mcilambo!**) sums up the situation pithily.

8:Mitchell E-5 (1946-1947) 1949 FT7 Yao FT7
[P.144C]

H3
622

[1] Drew MacDonald (1882), Vol. I, p. 157. [2] Drew MacDonald (1882), Vol. I, p. 32.
[3] Cf. G. Wagner, "The Political Organization of the Bantu of Kavirondo" in M. Fortes and E. E. Evans-Pritchard ed., *African Political Systems*, at p. 216: "The Logoli term *omwene* refers both to 'ownership' of objects and of persons. It differs, of course, from our concept of ownership in several respects. Thus the *omwene* (owner) of a person is the one who has not only the foremost rights over him but also the foremost obligations towards him."

8:Mitchell E-S (1946-1947) 1949
[P.1458] FT7 Yao FT7

III. The Entry OF THE WHITES

175 British started actively to pacify the country, the
648 sons of Mponda were at war with each other and Cingwalungwalu was on the way to dominating the whole of the west of the Shire River bank above the Murchison falls. After the British had demonstrated their efficiency by a few attacks on some of Nkata's forces, Kalembo approached the British leader and complained of the war in his territory. The British forces accordingly attacked and destroyed Cingwalungwalu's forces thereby leaving the way open for Kalembo to establish himself under the British wing as an important chief of the west bank of Lake Malombe. Amongst the chieftancies studied in this paper there appeared to have been no direct use of the British military forces in internal politics.[1] The Whites in this way immediately became a factor in tribal political organization. First of all some chiefs endeavoured to use the military force of the Whites directly in their tribal politics. Later on as military actions came to an end the power of the Whites continued to be tapped by chiefs and other personalities in the political structure in order to manipulate the tribal political set-up to their own advantage. In the main the power of the British Administration though still an active agent in tribal politics is now present as an abstract and invisible but nonetheless potent force. How this is done to-day I hope to be able to show by an analysis of the interaction of chiefs, African civil servants and village headmen.

101 As a foundation to this view of Yao politics,
175 the detailed history of the three chieftains Ka-
619 winga, Liwonde and Nyambi is illuminating.
643 Kawinga, Liwonde and Nyambi all belong to the same division of the Yao tribe, i.e. Macinga. There are about nine such divisions but only four are to be found in Nyasaland. The Acisi live near the Portuguese East African border in the Fort Johnston area (Katuli's area) and the

101 Amasininga in the Makanjila area of Fort Johns-
619 ton District, i.e. to the east of the south end of
175 the Lake near Fort Maguire. These two divisions
are insignificant when compared with the other
two divisions in Nyasaland. The third division
643 is the Mangoce Yao now settled around Blantyre,
while the last division, the Macinga, are settled
between Fort Johnston district and Zomba.
These divisions arose from a breaking up of the
Yao tribe which originally occupied the territory
between the Rovuma and Lujenda Rivers in what
is now Portuguese East Africa. These divisions
are not very significant to-day. Members of a
division recognize that they are more closely
related to each other than to the members of
another division, but this does not appear to
affect modern political life in any way.

619 The first Kawinga, Liwonde and Nkata [1]
175 all belonged to the Macinga division which had
settled near the tip of Lake Amaramba where it
551 empties into the Lujenda River. From this place
643 of origin, the groups associated with these early
leaders moved into Nyasaland. In addition to
belonging to the same division of the Yao tribe
the three leaders mentioned also had the same clan-
name, viz. *ambewe*. [2] The term that I have trans-
lated as clan-name is the Yao word *hukoryo*,
which may also be translated as "kind" or "sort".
Thus, if one asks a man the "kind" or "sort"
of Yao he is, his answer may refer to the major
divisions as above, i.e. Macinga or Mangoce
or it may refer to the clan-name. Clan-names are
inherited matrilineally, but holders of the same
name are unable to trace their descent from
a common ancestor. People with the same clan-
[582] names formerly did not marry but this prohibi-
tion has fallen away. For the commoners the
clan-name seems to have lost most of its signi-
ficance but it is carefully remembered in the royal
lines and lines in which the rank of a village head-
man is passed down.

643 The present Kawinga and the present Liwonde
551 can trace their descent matrilineally from a com-
175

643 551 175 [601] mon ancestress. The first Kawinga and the first Liwonde were maternal brothers and to this day Kawinga and Liwonde call each other "brother". Nyambi however was a sister's son of an early leader Mkumba who was the father of Nkata, and their clan-name was *amilasi*. Nkata therefore called Nyambi "father".[3] Nkata was the first to move into Nyasaland and Mkumba and Nyambi followed afterwards. Later the Nkata name was dropped and an Arabic name Zarafi, corrupted to Jalasi, was substituted. Hence the present Jalasi calls the present Nyambi "father". Kawinga and Liwonde both call Nyambi *alassa*, or brother-in-law, it is said because one of the early Nyambi's married a woman who bore the clan-name of *amberwe*.

643 175 648 The groups under Kawinga and Nkata entered Nyasaland and gradually expanded until Jalasi, as he became known, dominated the area around Mount Mangoce in the present Fort Johnston District, and Kawinga, safely ensconced on Mount Cikala, dominated most of the area north of this point. Jalasi, Kawinga and Liwonde were heavily defeated by British forces in 1895–6 and driven out of British Territory. Later on they were allowed to return after they had been ordered to surrender and effectively disarmed. When they had returned, the chiefs were virtually ignored and as far as can be ascertained the effect of the British government was to destroy the power of the chiefs and substitute the system of British administration for theirs. Nevertheless, it is apparent from entries in the District Book that even though it were not the official policy, the administrating officers considered it important that the chiefs should maintain some power. Thus when Kawinga III died in August 1905 the District Book records: "There were two claimants to the succession, Kumlomba and Chiwalo. Their claims were really very equal and H. M. Commissioner (April 1906) called in Kumlomba and the most important headmen and decided the succession by their vote." The

8: Mitchell E-5 (1946-1947) 1949 FT7 Yao FT7
[P.146C]

643
551

[601]

[1] The Nyambi chieftancy developed from the Nkata line as explained below.
[2] The clan names of the Yao unlike those of most other Central African tribes, appear not to refer to common objects of everyday life. I could not get a translation of *anbeuw* and of most other clan-names.
[3] A man calls his father's sister's son *anisuusi* (cross-cousin) but since this cross-cousin should in due course succeed to the (man's) father's name, he may also call his cross-cousin "father".

643 175 648 report goes on to say that the newly elected chief Kumlomba "had been mad once and still has a weak looking face and is a weak man. He has no real influence with his people and is ruled by his young men's advice. He means well but does not act on his own ideas sufficiently."[1] This comment shows that even though the Administration may have acted on this occasion for the preservation of peace, to the Yao it seemed to be approving their indigenous institution in appointing the successor. Informants say that when Kawinga IV died in 1913 his successor Chiwalo, who was the unsuccessful claimant of the report in the District Book, was able to succeed to the name against some Yao opposition, because of his influence with the administration.

As early as 1903, only seven years after the last military action was taken against a Yao group, the position of the defeated chiefs in the new political structure was being considered. Thus the Report of the Protectorate 1903–1904 reads: "A somewhat difficult question for consideration is the extent of power which should be allowed to native chiefs. Before British influence was established a chief had unlimited powers of life and death, and was able to keep his people in order. He did so not by kindness, but through fear. At the present day, when chiefs are not allowed to use any of their old methods, the people formerly subject to them often refuse to obey or to take any notice of their directions. The tendency is for the old large communities to be broken up: for the small man to collect a surrounding of friends and go off and build new hamlets in other localities. There are very few chiefs in British Central Africa who are of great assistance to the Magistrate so far as judicial work goes. There are, of course, notable exceptions, but as a rule it is not safe to give any power to native headmen."[2] I feel that the view of chieftainship expressed in this report is erroneous and that the chief was never as powerful over all his subjects as the 1903 administration assumed. Also the break-up of large communities,

643 175 648 I feel, was not due to a break-up of the chief's power but rather to a breakdown of domestic slavery and the system of sanctions that lay behind it, thereby freeing slaves who started setting up their own homesteads. It illustrates that the social system was fundamentally disturbed by the changes wrought by British domination as early as 1903.

643 622 175 648 This process continued until the Administration saw fit in 1912 to introduce legislation to prevent further splitting up of communities and to give a certain amount of power to "paid native local authorities . . . who shall be responsible to the District Residents for the good order and administration of their villages or areas." [3] Hence with the passing of the District Administration (Natives) Ordinance 1912, the Administration began to recognize the indigenous political functionaries and to absorb them into the general political machinery of the Territory. In this Ordinance, village headmen were recognized as possessing a certain amount of power over the people who lived in their villages. Amongst the village headmen one was to be recognized as a Principal Village Headman. The Ordinance made it clear that the position of the Principal Village Headman was in no way to be regarded as similar to the old tribal position of chief. Though the Ordinance further warned that persons who were formerly chiefs were not necessarily to be appointed Principal Headmen, it should be noted that many Principal Headmen were in fact such people. Thus, in 1912, the leadership position of certain headmen in the Territory, though always recognized by the Africans themselves before that date, was further officially recognized and they were given specific powers by the British. "Residents were to indicate carefully by their attitude towards, and dealings with, Principal Headmen the fact that they were officially recognized as chiefs in their respective sections and that, as such, they were entitled to the respect and obedience of their people." [4] Nevertheless it was planned to have a structure

[text continues top of p.149A]

8: Mitchell E-5 (1946-1947) 1949 FT7 Yao FT7
[CP. 147 C]

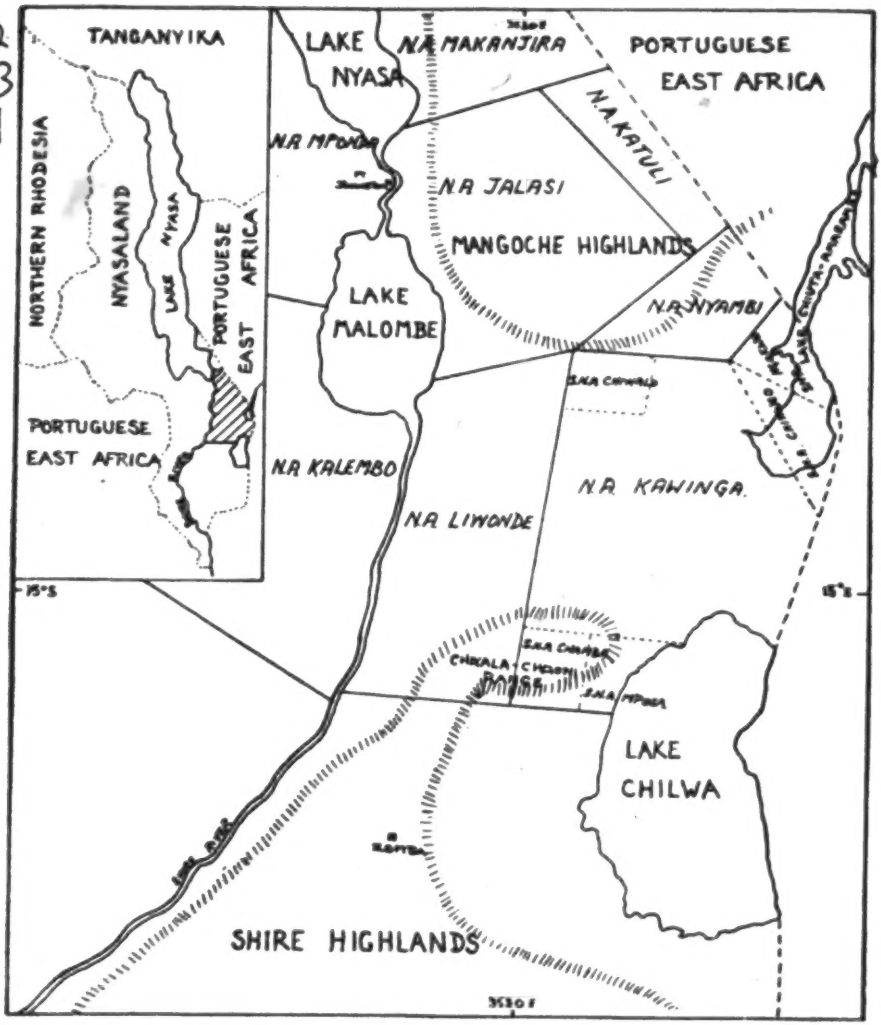
643
175
648

[1] Recorded in the District Book at the District Commissioner's Office in Zomba.
[2] Annual Report of the Territory 1903–4 quoted in S. S. MURRAY, *Handbook of Nyasaland*, (London: 1932), p. 128. [3] S. S. MURRAY (1932). [4] S. S. MURRAY (1932), p. 130.

8: Mitchell E-5 (1946-1947) 1949 FT7 Yao FT7

[P. 148]

102
643
131



MAP TO SHOW APPROXIMATE POSITION OF CHIEFS

This map is diagrammatic. In other words it shows the relative position of the chiefs and does not pretend to represent the boundaries faithfully.

[P.149A]

643 622 175 648 in which the District Commissioner would be the real authority with the Principal Headmen as his subordinates, to carry out certain well-defined duties under his instructions. The Principal Headmen were expected to assist in the concentration of the huts in accordance with the new regulations concerning village headmen and the villages they controlled. Measures for the sanitation in the villages, sweeping and cleaning of villages, the construction of refuse-pits and latrines, were included in the Ordinance and the responsibility for this devolved upon the headmen. Village headmen were also expected to report crimes, abnormal illnesses and deaths, and so on. A clause specifically stated that no power to hear

[TEXT CONTINUES TOP OF P.149B]

IV. THE PRESENT POSITION

643 175 648 131 In order to illustrate the structure of the political divisions with which we are dealing, I shall outline the make-up of the three districts under the Native Authorities Kawinga, Liwonde and Nyambi (see accompanying map).

It will be recalled that Kawinga and Liwonde trace their descent from a single ancestress three generations back from the present Kawinga and five generations back from the present Liwonde. The groups under the leadership of these two brothers Liwonde I and Kawinga I, entered Nyasaland in the early part of the nineteenth century and after various campaigns in Mount Mangoche area migrated across the Shire River at Mvera and took up their position on Kongwa hill. Here the second Kawinga died. Shortly after this the groups were displaced by Ngoni raids and they recrossed the Shire River and moved southwards to displace another Yao chief, Malemia, from Mount Cikala (near Zomba), which stronghold Kawinga held until they were displaced by the British attacks in 1895. Liwonde at first occupied the neighbouring range Caoni but soon moved down to the Shire River. He too was displaced by British attacks and fled with Ka-

[TEXT CONTINUES MIDDLE OF P.149B]

643 622 175 648 and determine petty native cases was conferred upon the headmen, though the District Commissioner was supposed to seek their advice when necessary.

Therefore, from the time of conquest a pattern of superordination of the Whites and subordination of the Africans was established and the indigenous political system remained largely without official recognition until the Native Authorities Ordinance was passed in 1933. The major change wrought by this Ordinance was that Native Courts were planned and instituted by the Native Courts Ordinance of the same year. At the same time a Native Treasury was founded.

IV. The Present

POSITION

643 175 648 131 winga to Portuguese East Africa. They were allowed to return later and they took up their positions in an area roughly outlined in the early part of this paper. At the same time, owing to military action by the Portuguese a certain number of refugees were crossing the border into the Lake Ciuta area of Nyasaland.

TABLE 1

Demographic Composition of Political Areas[1]

162 643 631 [563]

Sub. Area	*Tot. Pop.*	*Admin. Vills.*	*Av. Pop. of Admin. Vills.*	*Tribal Composition*			
				Yao	Nguru	Nyanja	Ngoni
				%	%	%	%
N.A. Kawinga (Yao)	23,087	311	74	51	37	10	2
S.N.A. Camba (Yao)	5,119	61	84	72	20	7	1
S.N.A. Mpoza (Yao)	4,411	60	74	49	19	32	—
S.N.A. Chiwalo (Yao)	2,202	19	116	80	15	5	—
S.N.A. Ngokwe (Mpotola)	2,868	21	136	16	43	40	1
S.N.A. Chikweo (Mpotola)	7,102	49	145	28	56	16	—
N.A. Liwonde (Yao)[2]	12,716	106	120	75	20	5	—
N.A. Nyambi (Yao)[2]	7,335	63[3]	116	73	27	—	—

8: Mitchell E-5 (1946-1947) 1949 FT7 Yao FT7
[P. 149 C]

643
162
631

[a] Abstracted from crude returns of 1945 census. District Commissioner's Offices at Zomba and Fort Johnston.
[b] Census data for a newly created S.N.A., *Sitwe*, not recorded separately.
[c] Approximation only. Number of Administrative villages not ascertained.
[d] N.A. = Native Authority; S.N.A. = Subordinate Native Authority.

	Total Pop.	Area sq. m.	Density per sq. m.
Kawinga	44,789	682	65·5
Liwonde	12,716	396	32·0
Nyambi	7,335	140	52·5

The Table I summarizes the present demographic position in the areas. The greater part of the area under study is divided between the Native Authorities Kawinga and Liwonde who call each other "brother". Kawinga as well as being a Native Authority with jurisdiction over five subordinate native authorities, is a chief over a certain number of villages in the same way as his subordinate native authorities are. These subordinate native authorities under Kawinga are :

1. *S.N.A. Cambe*, who is a matrilineal descendant of the first Kawinga's son and who still calls the present Kawinga "father", is in charge of an area along the south side of Mount Cikala ;

2. *S.N.A. Mpasa* is a matrilineal descendant of the son of the first Liwonde and therefore calls both Kawinga and Liwonde "father" (*atati*). His area lies near Lake Chilwa and contains a high proportion of the original Nyanja peoples of the area ;

3. *S.N.A. Ciwalo's* area adjoins that of N. A. Nyambi at the north of Kawinga's sub-district. Ciwalo was a sister's son to one of the previous Kawinga's and his mother's brother had succeeded, illegally in the opinion of some, to the name of Kawinga V (see p. 147). Ciwalo succeeded to his mother's brother's name that he had before he took the name of Kawinga V. The present Kawinga VI who was known as Mbogo before he succeeded must call Ciwalo "my elder brother" (*akulumunga*) ;

4. *S.N.A. Ngokwe* and 5. *S.N.A. Cikuwo* are, as the Table shows, not Yao but Mpotola who are a people from Portuguese East Africa. The Mpotola have lost whatever language they had in the past and now speak Yao and as far as I could see follow Yao usage and custom. The areas under the jurisdiction of these S.N.A's lie along the north-east boundary of Kawinga's area adjoining the Portuguese territory. The Table also shows

8:Mitchell E-8 (1946-1947) 1949
[P. 154B] FT? Yao FT?

648 District Commissioner on specific points. These points refer to some particular work of the Administration of which the District Commissioner is a representative. A villager may make enquiries about army gratuities, about tax exemption, about the administration of estates of relatives who. have died in Southern Rhodesia, etc. In general we may say that the interaction between the people on one hand and the Administration on the other takes place largely in terms of an overlapping field of interest, which the tribesmen see as a part of the White system of values but to which they do not fully subscribe.

2. *The Chiefs and their Bureaucracies*

643 The chiefs and their bureaucracies stand in
645 a peculiar position in the political structure.
648 They are, as it were, the bridge between the indigenous political machinery activated by a system of indigenous values, subscribed to by chief and commoner alike, and the White Administration on the other hand. To the people, the chief and his bureaucracy represent the White Administration to them since it is through this set of institutions that the regulations are administered. The N.A.'s bureaucracy collects the poll taxes,[1] dogs, guns, canoes, etc., supervises the construction of latrines, etc., and the chief punishes the people for breaches of regulations (not tax defaulters) which to the tribesmen are part of the White Administration. At the same time the chief is their representative to the District Commissioner and when the District Commissioner speaks to the chief he is in effect speaking to the people. From the point of view of the Administration he is in exactly the same interjacent position : he is both their representative to the people and the people's representative to the Administration. Accordingly the oblique line in the diagram passes through the rectangles marked 'chief' and N.A.'s Bureaucracy'.

The chief has lost many of the attributes of status that he had in the early days. No longer

8:Mitchell E-5 (1946-1947) 1949 FT7 Yao FT7

[P. 154C]

643
645

* Actually the poll taxes are collected by a Tax clerk who is stationed at the N. A. court-house but is remunerated from the Central Treasury. He is therefore really a member of the African Civil Service but since he lives at the chief's court and messes with the chief, is looked upon by the villagers as part of the N.A.'s bureaucracy, I include him in this paper as part of the chief's staff.

643 does he monopolize the trade to the court. To-
645 day the goods are brought in by Indian traders
648 and are bought for cash by the African tobacco growers and the returned labour migrants. He can no longer use his slaves to increase his wealth by capturing yet other slaves. Nowadays his salary is insufficient for his own requirements and he can no longer make the gifts that he used to, to the village headmen and councillors. Councillors (*i.e.* the *ndume* not necessarily officially recognized by the Administration) complain that though they are not paid they nevertheless have to do much of the work that the District Commissioner expects the chief to do. The chief himself is generally too poor to pay them though some do in fact privately remunerate certain of their unrecognized councillors. The
643 chief is still expected to give a burial cloth
649 when an important headman dies, and to make
651 a gift to a headman whom he succeeds to a name, but his tribute of food and ivory has ceased. The people look upon the taxes they pay to the Administration and the licences that are paid to the chief's court as substitute for the chief's tribute. One informant explained that no longer is it necessary to send a pot of beer to the chief when beer is brewed, because nowadays a sixpence licence must be taken out from the court for each brew for sale. He looked upon the licence (designed by the Administration as a measure to counter excessive brewing and paid into the Native Treasury and not to the chief) as a modern substitute.

643 Nevertheless, it appears that the chiefs do manage to live at a higher standard than most of their subjects. They usually appear to be dressed more finely and seem to have larger wardrobes. Most have brick dwelling houses and rather more furniture than the average commoner. Nearly all have shot-guns and some have rifles. This is largely possible because the salaries are regularly paid even if they are low, and because many of the former obligations have fallen away. No longer do the chiefs entertain on so lavish a scale.

643 The chiefs are also able more successfully to press their claims to certain gifts from visiting Europeans, particularly in articles which are difficult for Africans to obtain—for example, cartridges. One chief uses his rifle to shoot game and the meat is peddled round the villages by one of his servants. Some are also able to make use of the services of remand prisoners and other villagers in their gardens, thus growing more food and sometimes more of cash crops as tobacco. Other chiefs are able to use their salaries as capital and employ labourers to cultivate tobacco and other cash crops. A few returned labour migrants make small gift payments to the chief.

643 The main duty of the chief is the arbitration in disputes. The Native Courts Ordinance estab-
692 lished two classes of native courts, called respectively A and B courts, which differ in their powers. Under the same Ordinance court assessors who are remunerated from Native Treasury funds, were appointed.

693 The Native Authority's bureaucracy is made
647 up of a large assortment of functionaries and officials, including in the largest court, (Kawinga's), 6 court assessors, 1 court clerk, 1 assistant court clerk, 1 community worker, 1 forest guard, 1 agricultural demonstrator, 1 sanitary inspector, 9 court messengers, 2 caretakers, 4 garetta men, [1] 1 market clerk, 1 market sweeper. Other Native Authorities also have well inspectors. These people are remunerated from the Native Treasury and the most highly paid is usually the court clerk. I do not intend to deal in detail with the duties of each but I shall deal with the more important of them and make some general remarks about their position in the structure.

693 The court assessors are supposed to assist in
645 arbitrating cases. Under the old system there were both councillors, *nduna*, and court assessors, *mapanga*, (see p. 144). There is not sufficient provision for the remuneration of both councillors and court assessors in the modern system and there has been a general alteration in their functions. Some of the old councillors are no longer

693
647 duties which the court assessor used to in past days. The correct channel of approach to the chief now is through the court sergeant.

In most situations where the chief's orders are to be carried out, the various members of his bureaucracy execute them. For example, when the chief wants some duty to be performed by the villagers, it is the court sergeant or messenger who sees to it. The messengers carry out the instructions and wishes of the chief to all parts of his territory. To the villagers, therefore, the N.A.'s bureaucracy represent the chief when acting as his agent but they also represent the White Administration because much of their interaction with the villagers is in terms of some regulations based upon White values. The court clerk who apprehends a villager and charges him with being in possession of an unlicensed dog is acting, in the eyes of the villager, not so much as an agent of the chief, but rather as an agent of the chief representing the Administration. The sanitary inspector may explain to the man who has been charged with having no latrine, "It is the law that you should have one", and by this he means the White law.

3. *The Position of the Subordinate Native Authorities*

643 I have not yet considered the position of the
648 S.N.A.'s in the structure. In the diagram they are represented as a separate interactional system. The reason why they have been represented thus, is because the S.N.A.'s regard themselves as autonomous units and in no way an integral part of the main interactional system under a chief. Each S.N.A. has his own sub-court and a small bureaucracy of his own. He sets up a replica of the situation under the chief. Each S.N.A. has the insignia of rank that the chief has: he is given the same greeting; wears the red band around his head; holds initiation ceremonies, etc. Each S.N.A. has the duty of making a sacrifice to the ancestors before and after the rains. A recent theft of a sacrificial cloth hung on a tree-shrine in a S.N.A.'s area was held to endanger the rainfall in that area alone. The chief in the area makes use of his position in the structure in relation to the Administration to bring pressure

3 [See p. 152 — Analyst]

B.Mitchell E-5 (1946-1947) 1969
[P.157A] FT7 Yao FT7

643 649 to bear on his sub-chiefs. For example, when one sub-chief mishandled a prisoner, the chief did not feel himself to be in a position to reprimand the sub-chief. He reported the matter to the District Commissioner. Another had expressed displeasure at the conviviality of the sub-chief with an Nguru man. He had given instructions that the one Nguru with whom the sub-chief was on intimate terms, should be beaten if found together with the sub-chief again. The sub-chief merely countermanded the ruling and nothing further was done about it. When one of the chiefs was to be given a medal by the Governor it was only with great difficulty that the sub-chiefs could be induced to attend the ceremony. One of the sub-chiefs said: "Why should my feet get sore walking to his capital? He's getting the medal, not me". The Native Authority of his own account has not sufficient authority to reprimand a S.N.A. and where this must be done he must call in the District Commissioner to do it.

4. *The Village Headmen and the Villagers*

622 A District Commissioner once referred to the village headman as "the lance-corporal of the political system—doing all the work and getting all the kicks". This description is an illuminating one. The population in the area is distributed in hamlets of mainly matrilineal kinsmen usually composed of a man and his female matrilineal relatives and spouses (see p. 142). The male leader of this group I call a village headman but this should not be confused with the social personality here called the Administrative village headman. For purposes of the Administration, villages and hamlets are grouped under officially recognised and remunerated village headmen. Administrative village headmen usually have some local standing. Some have the right to wear the red band which distinguishes rank, some have the right to conduct initiation ceremonies for both boys and girls, they are all given the greeting correct for people of some rank, they are referred to by a term which signifies both the chief and the village headman (*mwene*).

The administrative village headman has certain duties which he must perform in respect of his

B:Mitchell E-6 (1946-1947) 1949
[P 1588] FT? Tao FT?

692 of White values which coincide with their own.

692 Informants say that the position of the village headman in contrast with that of the chief is
443 getting progressively weaker. They maintain
622 that cases once tried by the village headman are now taken to the chief's court. Whether this is true or not is difficult to ascertain. The fact that there is some sanction on the guilty party to settle the compensation if he is tried in the chief's court, probably pays a part. The compensation awarded is recorded in the Court Case book and the chief is empowered to keep a man under remand until it is paid. The chief sometimes supports the village headman against recalcitrant subjects. A man once refused to pay a compensation awarded against him by a village headman. The village headman referred the case to the chief who said to the man: "As you have disobeyed the order of the village headman it means that you have insulted me, the District Commissioner and the Governor". But in general there is a tendency for the central authority to be strengthened and the chief emphasizes his relationships to the White Administration in order to consolidate his position of dominance over his headmen. At a succession ceremony of a village headman the chief who had supported an unpopular candidate said: "This man has been chosen by me and the Governor agrees with me". Clearly in this insecure situation the chief saw himself against his subjects, and as part of the White Administration. He uses his power in this political situation to establish a dominance over the headmen, that he could never have established before the White men came (see p. 144).

VI. General
SUMMARY

642 depends on the field of values in which the inter-
177 action is taking place. To illustrate this with a simple example, when the court messenger exacted a levy of 1d. from each garden-owner in the area where the sacrificial cloth had been stolen from the tree-shrine, they saw in him a